HISTORY OF SCOTLAND.

VOLUME THIRD;

CONTAINING

THE HISTORY

OF

THE NATIONAL TRANSACTIONS,

AND

OF THE LABOURS, KNOWLEDGE, AND ENJOYMENTS, OF THE SCOTS;

FROM

THE ACCESSION OF DAVID BRUCE,

TO

THE DEATH OF JAMES THE THIRD.

HISTORY

OF

SCOTLAND,

FROM

THE EARLIEST TIMES,

TO THE

ÆRA OF THE ABOLITION

OF THE

HEREDITARY JURISDICTIONS

OF

SUBJECTS,

IN THE YEAR 1748.

BY ROBERT HERON.

VOLUME III.

EDINBURGH

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M,DCC,XCVII.

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MVSEVM
BRITAN
NICVM

ADVERTISEMENT.

In this Third Volume, the Hiſtory of the National Tranſactions of the Scots, civil and military, is continued for the ſpace of more than two hundred years,—from the acceſſion of David Bruce, to the death of James the Third; the Hiſtory of the Labours, Knowledge, and Enjoyments of the Scots in private life, for more than one hundred years,—from the acceſſion of David Bruce, to the æra of the return of James the Firſt out of his captivity in England.

During the lapſe of this period, the relations of the Scots to Foreign Nations, became continually more complex and more extenſive: Many perſons of illuſtrious character aroſe in Scotland: The general courſe of events was exceedingly various, often wonderful, and peculiarly intereſting: New arts aroſe: Civil policy was mightily improved: Even taſte and ſcience began to dawn. The moraliſt cannot give better inſtruction; hardly can the epic poet produce a better aſſemblage of *ſpecioſa miracula*; than the Hiſtory of Scotland, during the fourteenth and the fifteenth century, is happily fitted to exhibit.

I have done what I could to make this Hiſtory inſtructive and entertaining. They who beſt underſtand, how far moral and political ſcience may be properly introduced into hiſtory; how far a ſtyle varying in its ſtructure and colours with the varying ſubjects which ariſe, is fitted for hiſtorical

hiſtorical narration; and by what laws of evidence the hiſtorian ought to try the truth of his facts; will be beſt able to judge whether I have thus far executed well or ill the taſk which I have undertaken.

If, to diſcuſs authorities with due accuracy, be,—not merely to pore with *apparent attention*, over muſty manuſcripts, or printed books which, on account of their dullneſs, have become rare; and to refer with *ſeeming* punctilioufneſs to page and line;—*but* to ſtudy diligently the ſenſe of each ſucceſſive paſſage in thoſe records which afford the foundation of our narrative; to compare the different contemporary writings, ſentence by ſentence, and thought by thought, with one another; to eſtimate the credibility of the various original authors, by a careful conſideration of conſiſtency of narrative,—opportunities of information,—freedom from the cauſes of prejudice, or ſubjection to them,—diſcernment, or the want of it,—ſobriety of judgment and faithful integrity of character, or a flightineſs of imagination prone to embelliſh with fiction, and a looſeneſs of morality, not reverencing the diſtinctions between truth and falſehood:—*In this caſe*, perhaps, *thoſe who are beſt acquainted with the ſubject*, will find reaſon, not to diſapprove of that diligence of inveſtigation which has been exerciſed in the compoſition of this and the preceding volumes. If it be deemed farther neceſſary, in the compoſition of a hiſtorical work, from the evidence of ancient chronicles, epiſtles, laws, and charters,—to judge of the value of your evidence—by looking into the firſt principles of human character,—by conſidering whether the acknowledged talents, accompliſhments, paſſions, and habits of this or that man, give probability to what is related of him,

—by

—by examining whether the ſtate of the general ſpirit, intelligence, and manners of a nation, were conſiſtent with the accounts which we receive of this or that public tranſaction,—by applying the philoſophy of the Law of Nature and Nations to the illuſtration of hiſtorical truth;—*In this light*, it will poſſibly be found, alſo, that it has been laboured with much ſolicitude and care, to give ſatisfaction to the judicious, in the preſent Work.

It is well known to thoſe who read, not only modern hiſtorical works, but the ancient ſources, from which the information of thoſe modern works is drawn; that the late learned and truly reſpectable *Sir David Dalrymple*; that the perſpicuous and ingenious *Hume*; that even the philoſophical, the eloquent, the intereſting Robertson, who has conferred upon Hiſtory, all that Unity of Deſign, and that happy combination of characters, paſſions, imagery, actions, incidents, which give dignity and intereſting power to the *Epos*; that, even theſe great Hiſtorians have, *except in a few inſtances*, drawn, not only their facts, but *the reflections and general views*, whether in ethics, politics, or the ſcience of legiſlation, which accompany thoſe facts, *from the ancient writers whom they quote*.

In this, however, I muſt acknowledge with concern, that I have found it impoſſible to imitate ſuch illuſtrious examples. My facts are brought, with ſtrict fidelity, from the authors whom I quote. But, my views of national and perſonal intereſts, of the progreſs of policy and manners, will be found to be invariably the abſtractions of my own mind,—from a careful examination of the particular facts, which are only generalized in thoſe views.

I have

I HAVE again to acknowledge with gratitude, the obliging civilities of the Bookſellers, and the Keepers of the Public Libraries. They have readily favoured me with every communication of books, &c. which I found it neceſſary to requeſt. *Mr Profeſſor* DALZELL, in particular, Librarian to the College of Edinburgh, has aided my reſearches with that ready kindneſs which was indeed naturally to be expected from a man ſo eminently diſtinguiſhed by erudition, genius, and amiable benevolence of character;—for good men are ever diſpoſed to favour thoſe arts in which they themſelves excel.

IN the ſhop-collection of Mr *Archibald Conſtable*, I have found a treaſure of curious and rare books, belonging to all periods of the Scottiſh Hiſtory. Mr Conſtable has obliged me with the free uſe of his collection, with a ready liberality which muſt, at times, I fear, have proved inconvenient to his purpoſes of ſale. I have even been indebted to his ſkill in *Bibliography*, for references to various valuable authorities which would, otherwiſe, have remained entirely unknown to me.

THE *Fourth* and *Fifth* Volumes, which complete the Work, are in the preſs, and will, aſſuredly, be ready for publication in the month of May.

WITH the Fifth Volume will be publiſhed a *Catalogue Raiſonnèe* of all the printed books and MSS. which I have uſed in the compoſition of this Work,—with particular ſtatements of how much, and what—I have derived from each.

EDINBURGH,
March 17. 1797. } R. HERON.

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HISTORY OF SCOTLAND.

BOOK IV.

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DAVID BRUCE.

From the Acceſſion of DAVID BRUCE, *to the Coronation of* EDWARD BALLIOL.

ROBERT Bruce was ſucceeded by his ſon DAVID; who, though already betrothed in marriage to the princeſs JANE of England, had not yet completed the ſeventh year of his age. A king of theſe years, might ſerve to repreſent royalty in the barely formal acts of government, and to prevent ſome of the evils of a long vacant throne, and a diſputed ſucceſſion, but was unfit to exerciſe the energies of ſovereign authority. RANDOLPH, earl of *Moray*, therefore, took upon him the office of REGENT of the kingdom, under the ſanction of that *Act of Settlement*, by which Robert Bruce and his Parliament had formerly endeavoured to provide equally againſt a failure of the royal line, and

A. D. 1329. Acceſſion of David Bruce.

Sect. I. Chap. I.

againſt the dangers of a minority in the next poſſeſſor of the Crown*.

A. D. 1329.

Political ſtate of the kingdom.

The internal ſtate of the kingdom, and the miſchiefs which ſtill diſtantly threatened it, from abroad, were ſuch as to demand the full exertion of all the vigorous activity and ſteady wiſdom of a ruler able as Randolph. After that anarchy, and thoſe long wars which had been but lately terminated; civil order was, as yet, ſcarce perfectly re-eſtabliſhed, the laws had not yet recovered due authority, the people ſtill retained the turbulent and ferocious habits of military life. The ſon of Balliol ſurvived, and was ready to renew his claims to the Scottiſh Crown: There was a numerous party of exiles, whoſe attachment to the Balliols, or to the Engliſh, and averſion from the cauſe of Bruce, had deprived them of their poſſeſſions in Scotland, and driven them from their country; and who were, therefore, on the watch for an opportunity to obtain the redreſs of their own wrongs by overturning the preſent government of the land from which they had been expelled: On the Engliſh throne, now ſat a monarch who was not leſs ambitious, politick, or martial than Edward the Firſt; and who, conſidering Scotland, as by right,

* Fordun. L. XIII. C. 18:—Joan. Major. L. V. C. 10, 11:—H. Boeth. L. XV. Sub initio:—Buchan. L. IX:—Leſl. L. VII.

right, a fieff of the Engliſh Crown, was ſecretly diſpoſed to employ every effort of force or artifice, in order to regain a poſſeſſion which his father's weakneſs and folly had loſt. Such difficulties and dangers concurred to threaten long calamities to the reign of David Bruce, and to oppreſs the regency of Randolph with perplexity and trouble*.

Sect. I. Chap. I.

A. D. 1330.

Regency of Randolph.

Yet, Randolph ſhewed his virtue and abilities to be not unequal to the neceſſities of the time, and of the ſituation in which he was placed. By his care, due reſpect for the majeſty of the laws, and for the king's peace, was vigorouſly enforced in all quarters of the Scottiſh dominions. Provi- ſion was made, that the horſe of the traveller, the plough of the huſbandman, or whatever other article of property, might be neceſſarily expoſed in the open fields; ſhould not be ſtolen, without juſt puniſhment being afterwards inflicted on the thief, and due compenſation being made to the perſon who was pillaged. In a grand juſticiary progreſs through the kingdom, the Regent happily ſeized, near Wigton in Galloway, a company of banditti, and forthwith executed ſummary juſtice upon them. Another notable inſtance of ſtern and wholeſome juſtice, was exhibited by Randolph, at Inverneſs, in

Internal adminiſtration.

* Fordun. XIII. 18:—H. Boeth. L. XV. Fo. 322:—Buchanan. L. IX. Sub initio:—J. Major. L. V. C. 10:—Leſlœi. Pag. 238, &c.

Sect. I. Chap. I.

A. D. 1330-1.

in the execution of a man who, although guilty of the murther of a prieſt, believed himſelf ſecure from puniſhment, becauſe he had obtained a Papal abſolution from the crime. In whatever diſtrict, turbulent licentiouſneſs, or crimes againſt the peace of the community, demanded the chaſtiſement of public juſtice; there, the Regent, with unwearied activity and vigilance, ſtill ſhewed himſelf alike ready to maintain civil order, to protect the weak and innocent, and to puniſh inſubordination, rapacity, and oppreſſion. His cares were ſo far ſucceſsful, as to repreſs effectually whatever diſorders had been excited by riſing contempt for the infant reign: His juſtice was univerſally revered: His activity and wiſdom were eſteemed and admired*.

An invaſion threatened.

But, in the mean time, a ſtorm began to ariſe from abroad. The exiles, abetted in their purpoſe by the king of England, excited by the correſpondence of Edward Balliol, and guided by the counſels of Henry de Beaumont, a ſufferer in the ſame cauſe with themſelves; muſtered a force, collected money, proviſions, and military ſtores, and prepared to invade Scotland. Balliol, conceiving ſomewhat of that generous ardour which might become the

* Fordun. L. XIII. C. 18, 19:—Major. L. V. C. 10:—Boeth. L. XV. Fo. 322, &c.

Sect. I. Chap. I.

the pretender to a Crown, iſſued from his retirement at his eſtates in France, and aſſumed the command of the expedition. Four hundred warriours clad in complete armour, and mounted on horſeback, with three thouſand foot ſoldiers, more imperfectly equipped, and variouſly armed, appear to have compoſed the whole force of the invaders. They would have entered the threatened kingdom, by land, from England: But the Engliſh monarch, altho' he had not hindered them from concerting their meaſures, and preparing their armament within his dominions; would not, yet, ſo openly infringe the treaty of Northampton, as to permit them to march directly acroſs his confines, into the bordering territories of his infant brother-in-law. Forbidden to proceed by land, they were not, however, driven to relinquiſh their enterprize; but embarked at Ravenſburgh, in Holderneſs, at the mouth of the river Humber, and thence, ſet ſail for Scotland*.

A. D. 1331-2.

Randolph and the Scots were not unapprized of the combination and the hoſtile deſigns of theſe adventurers. To repel any invaſion of the kingdom, which ſhould advance from the Engliſh marches, the Scottiſh Regent quickly aſſembled the

Laſt acts and death of Randolph.

* Fordun. L. XIII. C. 19, 20, 21, 22:—Major. V. 12:—Boeth. XV. Fo. 323:—Buchanan. L. IX:—Leſlœi. Hiſt. 239:—Leland: Walſingham, Fœdera, IV. 511, &c.

Sect. I. Chap. I.

A. D. 1332.

the military vaſſals of the Crown, and haſtened with a powerful force, as far as Colbrandſpath, on the frontier of Eaſt Lothian. But, the news of the change in the plan of the enterprize, to which Balliol and his followers had been driven by the policy of the Engliſh King, not by his faithful amity to Scotland; here diſconcerted Randolph's meaſures; and compelled him to return ſuddenly northwards, in order to meet, if poſſible, the deſcent of the invaders upon the coaſt. Randolph's bodily ſtrength, and the vigour of his health, had been long ſince broken, amid his military toils with Robert Bruce: He had lately been, for ſome time ſeverely afflicted with the ſtone in the bladder: Its torments became more conſtant, and continually more excruciating, while he was haraſſed by the anxiety and the neceſſary activity of this expedition. He was with difficulty conveyed backwards from Colbrandſpath, as far as Muſſelburgh. At Muſſelburgh he expired, on the twentieth day of July, in the year one thouſand three hundred and thirty-two. The prejudices of an ignorant age propagated the vain and groundleſs belief, that the immediate cauſe of the death of the Regent, at this moſt critical juncture, was poiſon, treacherouſly given him by an Engliſh Monk who had, ſome months before, unſucceſsfully attempted to adminiſter a remedy for his diſorder.—Randolph's death was, aſſuredly, a public calamity to his country,

try, perhaps even more unfortunate than that of his maſter Bruce, had been. After this man, equally wiſe and brave, zealouſly faithful to the true intereſts of Scotland, and ſingularly able to maintain and advance them, had fallen; who was there, now ſurviving, of talents and reputation equal to ſave the ſtate amid the troubles of a minority, and the alarm of an invaſion* ?

A. D. 1332.

Had James Douglas, the companion of almoſt all the heroic enterprizes of Bruce, and ever the generous rival of Randolph, been now in Scotland; the Scots might have heard the tidings of the Regent's death, with leſs of general perplexity and deſpair. But, Douglas had departed, ſoon after the death of Bruce, to carry the heart of his beloved maſter, to Paleſtine, and depoſite it at the Holy Sepulchre. At Sluys in Flanders, the gallant Scot, burning with impatience to try his proweſs on the infidels, and again to thunder impetuous along the field of battle; accepted an invitation to fight under the banners of the King of Caſtile, againſt the Moors of Granada; and eagerly repaired to the Caſtilian Court. Occaſions ſoon preſented themſelves, to gratify the martial ardour of Douglas. But, it was not long till a great battle enſued; in which when the Moors were routed,

Laſt adventures and death of James Douglas.

* Fordun. L. XIII. 622:—Major. L. V. C. 1:—Boeth. L. XV. Fo. 323:—Buchanan. L. IX. Leſlœi. Hiſt. 239, &c.

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ed, the fatal intrepidity of the Scottiſh hero, carried him too far in the purſuit, to a diſtance from the main body of the Chriſtian army. The fugitive Moors, rallying where they ſaw themſelves followed only by Douglas with ſome few attendants; ſurrounded the purſuers; and aſſailed them with rekindling courage, which their ſcanty number and exhauſted vigour could ill withſtand. Douglas, in this laſt extremity, took from his boſom, the caſket containing his maſter's heart, which he carried conſtantly about his perſon; and crying, *Paſs thou onward, as thou waſt wont; and Douglas will follow thee, or die!* threw the caſket among the thickeſt of the foes; and himſelf ruſhing after, with a deſperate effort, was quickly overpowered, and buried amid a multitude of enemies falling by his hand. The news of the fate of Douglas, being received in Scotland, amid the general lamentation for the death of Randolph, and the univerſal conſternation with which the threatened invaſion was expected; ſo enhanced the ſenſe of the national ills; that it ſeemed as if the whole kingdom had been, at once deprived of all ability of mind, to give counſel, and of all ſtrength of arm to execute whatever meaſures of defence might be requiſite in the ſtrong exigency of the preſent circumſtances*.

Mean-

* Fordun. L. XIII. C. 20, 21:—Major. L. V. C. 11:—Buchanan. L. IX:—Barbour, Pinkerton's edition: Mariana XV. 21, &c.

MEANWHILE, Balliol with the exiles his confederates, and all the force which they had mustered, sailed, in one squadron, into the frith of Forth. Their landing was, in vain opposed by the earl of Fife, with a few followers, hastily assembled. One part of the invaders came on shore at Kinghorn; easily routed those by which they were encountered; and after the delay of only a single night, marched onward to Dunfermling. While their ships, coasting along the eastern shores of Fife, entered the frith of Tay; the army on land, proceeded rapidly northward, till they reached Forteviot, on the southern bank of the river Erne, at the distance of between three and four miles from the town of Perth, and within sight of the station of the fleet*.

A. D. 1332. Balliol lands in Fife.

AT Perth, the Scottish Nobles had, in the mean time, assembled in a convention, to elect a new Regent. Donald, earl of Marre, nephew to Robert Bruce, was, after some jarring debates, nominated to succeed Randolph in that high office. He instantly mustered a numerous and powerful force, and from Perth advanced to Dupplin, on the northern bank of the Erne; where he encamped his army in a position opposite to that of the invading host, and so nigh, that the invaders could not cross the river, without risking a battle. Nor were the

A new Regent chosen; and measures of defence employed.

* Fordun. XIII. 22, &c.

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inhabitants of the ſouthern counties leſs alert. A ſecond army, hardly leſs numerous than that which was encamped at Dupplin, was, at the ſame time, conducted by the Earl of March, from Lothian, northward, by Stirling, as far as Auchterarder, within eight miles of Forteviot, and Balliol's camp. In compariſon with the numbers of theſe two armies which thus haſtened to oppoſe them, the invaders were but an handful; the junction of the forces of March with thoſe of Marre, would greatly augment the relative diſparity of thē two hoſts which were immediately oppoſed to each other: Nor could Balliol and his followers even retire to their ſhips, without expoſing themſelves to all the evils of entire defeat. In theſe circumſtances; if the reſolution and unanimity of the Scots, had been equal to their apparent ſtrength and activity; no events could be more probable, than the fruſtration of the invaſion, and the deſtruction of the invaders*.

Auguſt 11. and 12.

But, the Scots were as ſheep without a keeper; the invaders were deſperately bold, as a lion caught in toils. The Regent's army were, at once diſtruſtful of the abilities of their leader, and inſolently ſcornful of the enemies whom they had to encounter; ſecure even to the neglect of all diſcipline, and amid their boldneſs, not all cordially faithful to the intereſts of their country. Balliol and

* Fordun. XIII. 22:—Hemingford II. 273, &c.

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and his followers were fully ſenſible of all the difficulties of their ſituation, and were unanimous in their reſolutions to do whatever, vigilance, valour, and ſtratagem could accompliſh, in order to deliver themſelves from danger, and to purſue their enterprize to a ſucceſsful iſſue. When the two hoſtile armies were reſpectively in theſe ſituations and diſpoſitions, the invaders ſuddenly croſſed the river by night; and while the Scots were diſſolved in ſleep, and intemperate riot, made an unexpected attack upon their unfortified and diſorderly camp. At the firſt alarm of the aſſault, the young earl of Moray, ſon to the late Regent, with three hundred men in *full* armour, haſtened to meet the ſhock of the aſſailants. His gallantry being bravely ſeconded by his companions, for ſome moments withſtood the onſet of the enemy. But, the alarm was, in the mean time, communicated throughout the Scottiſh camp; Marre and his whole diſorderly and ill-appointed hoſt, were rouſed to arms; they ruſhed onward in a confuſed crowd, and in an uncertainty concerning the circumſtances of the attack, which made them incapable of action, and expoſed them, an eaſy prey to the fury of the enemy. Even the efforts of young Randolph and thoſe who fought by his ſide, were ſo impeded by the movements of this diſorderly hoſt, which ſhould have ſuſtained and aided them; that they could no longer make any effectual oppoſition to the ſtre-

Battle of Dupplin.

nuous

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nuous impulſe of Balliol's troops. Randolph, and with him, the earls of Menteith and Carrick, and ſome other nobles periſhed in the fight. The multitude of the Scots were trodden down in heaps, and ſlaughtered by the enemy without oppoſition. The havock and purſuit of the vanquiſhed and fleeing hoſt, were prolonged to mid-day. Balliol's victorious army then proceeded to Perth, and took poſſeſſion of that ſtrong town, the central capital of the kingdom, and a ſtation ſufficiently acceſſible to their fleet, which now rode at anchor in the frith of Tay. Marre, the Scottiſh Regent, was in the number of thoſe who had fallen in the battle*.

Diſperſion of the earl of March's army.

The Earl of March was now advancing with his army, from Auchterarder to Dupplin. A wounded ſoldier who had eſcaped out of the battle, met him by the way; but ere he could diſtinctly communicate the tidings of the miſerable overthrow of the Regent's forces, fell down, and expired. March haſtening anxiouſly onward, ſoon came within ſight of Dupplin-moor, and there beheld only the ſlaughtered remains of the army which he had come to ſupport. Diſappointment, rage, ſorrow, conſternation were at the ſight excited, with mingled force and emotion, in the hearts of the Scots.

* Fordun. L. XIII. C. 22:—Major. L. V. C. 11:—Buchanan. L. IX:—Leſl. 239, &c.

Scots. They would avenge the fate of their ſlain countrymen; they could not but dread the proweſs of the victors, who, although but an handful, had prevailed in fight, againſt ſo many; they began to feel a ſudden diſtruſt, every one of the courage and fidelity of his neighbour; they were ready to deſpair of a cauſe which they ſaw to be ſo fatally unfortunate; yet, ſhame withheld them from abandoning the intereſts of the ſon of Robert Bruce, without making at leſt one trial of their ſtrength, againſt the enemy. In theſe wavering and diſcordant ſentiments, they heſitatingly purſued the footſteps of the victors toward Perth. But, when they had reached the north-eaſt ſlope of that hilly ridge which immediately ſhelters the vale of Perth, on its ſouthern ſide; they ſaw Balliol's forces impatiently awaiting their approach, in all the confidence of victory. This ſight was enough to move their already irreſolute minds from their firſt purpoſe. They halted; receded; and within a ſhort time, without orders, and without conſultation, diſperſed themſelves in univerſal flight. Yet, before this final diſperſion took place, a faint attempt was, for ſome few days, made, to reduce by a blockade of the town, thoſe whom March and his troops durſt not aſſail with one vigorous impulſe. Crabbe, the Fleming, who had formerly diſtinguiſhed himſelf in the defence of Berwick, came, in the mean time with ten ſhips, into the frith of Tay, and engaged

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gaged the Engliſh fleet, but was defeated, with the loſs of all his veſſels. It was in conſequence of theſe continued diſaſters, that the general flight of the Scots, left Edward Balliol, for a time, undiſturbed maſter of Perth, and all the adjacent territory of Gowry, Fife, and Strathern. Purſuing the advantage which his good fortune had beſtowed; Balliol convoked the principal inhabitants of theſe diſtricts; and on the twenty fourth day of September, in the year one thouſand three hundred and thirty-two; was, in their preſence, ſolemnly crowned King of Scotland, at Scone*.

Coronation of Edward Balliol.

Chapter II.

From the Coronation of Edward Balliol, to the period at which he reſigned his pretenſions to the ſovereignty of Scotland, in favour of the English King.

Obſervations on the renewal of the war for the ſucceſſion.

By theſe ſucceſſes of Edward Balliol, and the exile adventurers who had eſpouſed his cauſe; the ancient conteſt for the ſucceſſion to the Scottiſh Crown; and the hopes of the Engliſh, to ſubjugate

* Fordun. L. XIII. C. 22:—Major. L. V. C. 11:—Boeth. L. XV. Fo. 325-6:—Hemingford II. 273, &c.

gate Scotland by interfering in the quarrel; were once more renewed. The effect of the toils and darings of Wallace, of the adventurous enterprizes of Bruce, of the perſevering courage and fidelity of Douglas and Randolph, the eſtabliſhment for the ſake of which ſo many thouſands had bled, ſeemed now to be again overthrown. Reſigning his authority into the hands of the King of England, and deſerting the cauſe of the Scottiſh nation, while they fought to vindicate their freedom; the father of Edward Balliol, had, by thoſe acts, no doubt, abſolutely forfeited all his rights to the Scottiſh Crown. His rights had juſtly devolved upon Robert Bruce, as the next in the order of ſucceſſion, and as a patriot and a hero whom his own exertions, and the general voice of his countrymen, had alike conſpired to exalt to the regal dignity. But, their own private intereſts, perhaps their perſonal wrongs, thoſe prejudices which intereſt and reſentment eaſily generate; had naturally concurred to make thoſe who were exiles on account of their enmity to Bruce, ſtill eſteem Balliol's the better cauſe. Now, when fluſhed with ſucceſs, they could not fail to regard both Balliol's claims and their own, as equally and irrefragably juſt. Their farther ſucceſs might eaſily turn the wiſhes of the whole nation from the family of Bruce to that of Balliol. How ſhould the rights of an unprotected boy, prevail againſt the pretenſions

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Reflections upon the comparative rights of Balliol and Bruce.

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pretenſions of a man qualified to command armies, and to preſide in councils, who was followed by a number of gallant and faithful warriours, and whoſe enterprizes were favoured with unlooked-for good fortune?

Recovery of Perth.

Yet, while Balliol, immediately after his coronation at Scone, returned ſouthward, to open a communication with the Engliſh marches; a party of the loyal adherents to the intereſts of David Bruce, concerted a ſudden enterprize againſt the ſlender garriſon left by the uſurper in the town of Perth. Its temporary fortifications were unfit to reſiſt a ſiege: It was garriſoned by few elſe, beſide the earl of Fife, who from the priſoner had become the partizan of Balliol, with his family and his vaſſals. By ſtratagem, however, probably, rather than by a regular aſſault, it was quickly taken by the beſiegers; of whom the leaders were James and Simon Frazer, and Robert Keith. Murray of Tullibarden, who was accuſed of having betrayed to Balliol, the ſafety of the royal army at Dupplin, by diſcovering the ford, at which the invaders croſſed the Erne, to ſurprize the Scottiſh camp; being found with Balliol's garriſon in Perth; was furiouſly put to death by the conquerors, as a traitor to his country*.

In

* Fordun. L. XIII. C. 25:—Knyghton 2562:—Major. L. V. C. 11:—Boeth. L. XV. Fo. 326.

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In England, and upon the confines between the two kingdoms, there were now paſſing, tranſactions of much weightier import to the intereſts of Scotland. The Engliſh King, from the firſt, no doubt, aware of the counſels and deſigns of Balliol and his followers; was no ſooner informed of their growing ſucceſſes; than he haſtily came northward to the vicinity of the Scottiſh frontiers; as if of purpoſe to take advantage of the troubles which were ariſing in this neighbouring kingdom. Balliol and his adherents, repairing, at the ſame time, ſouthward to Roxburgh, entered eagerly into a new negociation with the King of England; to which they were impelled, equally by the hope of gaining his aid, and by the fear of his eſpouſing, in oppoſition to them, the cauſe of his brother-in-law, young David Bruce. No circumſtances could have been more favourable than theſe, to the ambitious policy of England. Edward Balliol, readily conſenting to imitate the example of his father; did homage to the Engliſh King, as lord-paramount of Scotland; reſigned to him, by a ſolemn, written deed, the direct poſſeſſion of the town, caſtle, and territory of Berwick; and engaged, for himſelf and his ſucceſſors, that, if eſtabliſhed on the Scottiſh throne, they ſhould, whenever ſummoned, attend the kings of England in all their foreign wars, at their own charges, and upon each different occaſion, for the full ſpace of one year;—Edward

Balliol obtains the alliance of England.

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ward Balliol himself, with two hundred men in complete armour,—every one of his successors, with one hundred. In return for this homage and these engagements, the English monarch; regardless of the treaty of Northampton, and of his own affinity to young Bruce; agreed to maintain Edward Balliol and his heirs, in the feudal and dependent sovereignty of the Scottish kingdom. This favour and support of the English King, added to their former successes, greatly increased the reputation of Balliol's party throughout Scotland. Although so soon deprived of Perth, they were now, however, masters of almost all the southern and south-east parts of the country. Every day brought in new vassals to do homage to Balliol, and new soldiers to fight under his banners*.

New efforts of the friends of Bruce.

Amidst these events, the loyal adherents to the family of Bruce, began to recover, more generally, out of their first panic. By the success of the Frazers and Keith at Perth, their friends and fellow-subjects were encouraged to rally, to combine their efforts, to make head once more against the party of Balliol, however supported by the aid of England, and the traitorous or cowardly defection of the Scots who ought to have adhered, with unshaken fidelity,

* Fœdera IV. 536. 539:—Fordun. XIII. 25:—Buchan. L. IX.

fidelity, to the ſon of Robert Bruce. The northern and north-weſt parts of the Scottiſh dominions; as far as theſe were ſubmiſſive to the controul of regular government; with the eaſtern and weſtern counties; were as yet, almoſt every where loyal to their infant King. Sir Andrew Murray of Bothwell, huſband to the ſiſter of Robert Bruce, accepted the office of Regent, which had been left vacant by the fall of the Earl of Marre, at Dupplin. On the eaſtern and ſouthern marches, the Earl of March, and Archibald Douglas; whoſe poſſeſſions were either actually within the power of the enemy, or at leſt expoſed to their inroads; ſeem to have wavered between adherence to Bruce, and deſertion to Balliol; and ſolicited a ſhort truce from the latter, in hopes of negociating, as they ſaid, an accommodation of differences between their king and the uſurper. But, to this truce, the Brucian party in general, who owned Murray for Regent, refuſed to accede. Even Douglas ſoon returned to inſtant and hearty activity in the cauſe of his King. Aſſociating with John the young Earl of Moray who had ſucceeded his brother, and with Simon Frazer, one of the conquerors of Perth; Douglas, with theſe chieftains, aſſembled a body of horſemen at Moffat in Annandale; and in a ſudden and ſecret enterprize, came unexpectedly upon Balliol, while he lay in thoughtleſs ſecurity at the town of Annan; overpowered the reſiſtance of his

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Their ſucceſs at Annan.

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his attendants; slew his brother Henry, and not a few other persons of distinction; and had almost made prisoner, Edward Balliol himself; who, with difficulty, escaped, naked and unattended, into England*.

Balliol supported by the English.

Notwithstanding these efforts of the loyal Scots, and the success with which this last, bold enterprize was crowned; the King of England would not so soon renounce his engagements with Balliol, nor relinquish the hopes upon which those engagements were founded. Had Edward Balliol, indeed, been slain or taken captive at Annan; such an event might have at once composed the troubles which the prosecution of his pretensions, had begun to excite. But, one of his first acts, after his escape into Cumberland, was, to appoint commissioners, who should, in his name, solemnly ratify by oath, the treaty which he had already made with the English monarch. Edward of England, almost immediately upon this, throwing off all disguise; accused the Scots of having violated the treaty of Northampton, by acts of hostility upon the English borders; encouraged his barons to take arms with Balliol; and mustered a force, to invade Scotland, or to repulse invasion. It may be,

* Fordun. L. XIII. C. 25:—J. Major. L. V. C. 11:—Boeth. L. XV. Fo. 326.

be, that Edward would rather have accepted the ſame conditions of homage and vaſſal-ſervices from his young brother-in-law, David Bruce, than from Balliol, who was not allied to his family: But, the adherents to Balliol, were, men attached likewiſe to the intereſts of England; they who ſupported the family of Bruce, were the ardent votaries of their country's freedom; the former had forfeited their ancient inheritances in Scotland, by taking part with the Engliſh; the latter had acquired their preſent poſſeſſions, by the heroiſm with which they and their fathers withſtood and overthrew Engliſh uſurpation: And, in theſe circumſtances, the intereſts of his policy and ambition, left Edward no room for choice between the rights of Bruce, and the pretenſions of Balliol. Balliol thus openly encouraged and ſupported, quickly returned out of his ſhort exile, with a powerful force of Engliſh warriours; and having taken and burnt the caſtle of Oxnam in Teviotdale; fixed his headquarters, for a time, in the vicinity of Roxburgh*.

Inroad into Cumberland.

But, the defenders of Bruce, and of the liberties of Scotland, were not now idle. Archibald Douglas, one of the leaders in the fortunate enterprize againſt Annan, was ſent with a force of three thouſand

* Fœdera IV. 552:—Hemingford II. 274:—Knyghton 2562:—Walſingham 132.

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thouſand men, to invade the weſtern border of England. He accompliſhed his enterprize with full ſucceſs, ravaged the diſtrict of Gilleſland, and returned ſafely home with abundant ſpoils and many priſoners. The invaders were quickly purſued by a retaliating incurſion from England. Near Lochmaben, the Engliſh, led on by Sir Anthony Lucy, were bravely, but in vain oppoſed by the aſſembled Scots of the adjacent diſtricts. The Engliſh prevailed. Of the Scots, Humphry de Bois, Humphry Jardine, and William Carlyle were ſlain, with many others; and Sir William Douglas, afterwards the celebrated *knight of Liddeſdale*, with William Baird, and an hundred more, were made priſoners*.

Sir Andrew Murray in an attack on Balliol, at Roxburgh, is made priſoner.

These were but ravaging incurſions, intended, on both ſides, rather to haraſs, and alarm, than to anſwer the ends of any regular, conſecutive plan of military policy. But, Sir Andrew Murray, the Regent, attempted the more important enterprize of aſſaulting the encampment of Balliol at Roxburgh, and cutting off his ſlender army before they ſhould be ſtrengthened by reinforcements from England. At the bridge of Roxburgh, an impetuous onſet was made by the Scots, and was vigorouſly

* Walſingham 132:—Fordun. XIII. 27:—Boeth. L. XV. Fo. 326.

rouſly reſiſted by the troops of Balliol. While the conflict was earneſtly preſſed, on both ſides, a brave eſquire, Ralph Golding by name, ſtepping forward from among the Scots, fought with aſtoniſhing intrepidity, amid the thickeſt of the enemy, till he was thrown to the ground. From the ranks out of which he had advanced, the Regent himſelf, more generouſly gallant than became his office, was the firſt to fly to the relief of the bold Golding. By the hope of making ſo conſiderable a perſon their priſoner, the ſoldiers of Balliol, were called forth in a larger number, and moved to fight with redoubled ardour. None, or few of the Regent's own ſoldiers ruſhed forward, to ſupport or reſcue him. He fought with incredible activity and vigour; but was at laſt compelled to ſurrender himſelf a priſoner; although, even then, it was not Balliol, but the King of England, whoſe captive he would acknowledge himſelf to be*.

The king of England, in conjunction with Balliol, beſieges Berwick.

EDWARD the Third of England, had, in the mean time, ſummoned his military vaſſals to attend him in arms, at Newcaſtle upon Tyne; and was with great activity, making every neceſſary preparation for the invaſion of Scotland, in fulfilment of the treaty he had made with Balliol. In vain had the French

* Fordun. XIII. 27:—Buchanan. L. IX:—J. Major. L. V. C. 12, &c.

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French King endeavoured, by his friendly interpoſition, to divert Edward from his hoſtile intentions againſt David Bruce and his ſubjects. Of the benefits of their naval intercourſe with Flanders, Edward earneſtly ſtrove to deprive them, by requeſting the Earl of that country, to prohibit his ſubjects from lending aid by ſea to thoſe whom he named the rebellious Scots. Having taken every requiſite, previous meaſure, and having muſtered his forces at Newcaſtle; he proceeded on his march; and in the end of May, in the year one thouſand three hundred and thirty-three, arrived at Tweedmouth, on the ſouthern bank of the Tweed, and oppoſite to Berwick. Balliol, with his ſmall army had already laid ſiege to this important town, the frontier ſtrength of Scotland, at its ſouth-eaſt extremity.

Nor were the Scots careleſs of the fate of this ſtrong place; or ſlow to meet the coming ſtorm. The governor of the town of Berwick, was the brave Alexander Seton; and while this command remained with Seton, the Earl of March was appointed to the government of the caſtle. By ſea, and on land, the ſiege was vigorouſly urged by the fleet and army of the Engliſh. A gallant reſiſtance was made by the beſieged; many of the Engliſh ſhips were burnt or ſunk; many of their ſoldiers fell; every aſſault they attempted, was ſtill with

heroic intrepidity repulsed. Yet, at last, the force and perseverance of the besiegers, began to overcome the resistance of those by whom they were opposed: William, the son of Alexander Seton, a youth worthy of his father, perished in an attack upon the English fleet: Each succeeding day thinned the numbers, and diminished the resources of the townsmen and the garrison: And Seton was at last obliged to solicit and accept a truce, on the hard conditions of agreeing to surrender the town to the besiegers, unless it should before a certain day, be relieved by supplies from Scotland; and of giving hostages, among whom was his own only surviving son, to the English, as securities for his faithful performance of the stipulated surrender, if the supplies he expected, should fail to arrive*.

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The Scots march to raise the siege of Berwick: and invade Northumberland.

Archibald Douglas, now Regent of Scotland for David Bruce, in consequence of the captivity of Andrew Murray, had, in the mean time, assembled a numerous army, and was impatiently advancing to give battle to the English, and raise the siege of Berwick. On the eleventh day of July, the besieged garrison, with infinite joy, beheld the army of Douglas arrive within sight of the town, and were flattered with hopes of sure relief, be-

* Fœdera IV. 564. 566:—Fordun. XIII. 27:—Extract from *Scala Chronica*, published by Sir Dav. Dalrymple, Annals Vol. II. App. 5, &c.

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fore the expiration of the truce. Douglas with his forces, croſſed the Tweed; threw ſome ſmall ſupplies of neceſſaries, and ſome few auxiliary warriours into the town; and after vainly ſtriving to draw the Engliſh out to battle upon equal ground; or to introduce by ſome avenue, more effectual ſupplies to the relief of the beſieged; paſſed onward with his army, to depopulate Northumberland; and even aſſaulted Bamburgh-caſtle, in which Philippa, the young queen of England, had then her reſidence*.

Truces, and cruelty of Edward.

Edward, however, ſtill kept his forces before the town; reſolving to win it, ere he would give battle to the Scottiſh army, unleſs they ſhould, with fool-hardy courage, attack his encampment. While Douglas in vain waſted Northumberland; the truce between Edward and the governor of the town, expired; and the Engliſh King inſtantly claimed that ſurrender, to ſecure the performance of which, hoſtages had been put into his hands. But, ſince the garriſon had obtained ſome ſmall ſupplies, in ſpite of the keeneſt vigilance of the beſiegers; and as Sir William Keith who entered with thoſe ſupplies, had ſuperſeded Seton in the chief command: It was anſwered from the garriſon, that, the town being relieved, could not be ſurrendered;

* Fordun. XIII. 27. 128.

surrendered; and the liberation of the hoſtages, was in turn required. Edward ſeeing himſelf thus mocked by what he deemed a deceitful evaſion; and enraged by thoſe ravages of Northumberland which yet he would not raiſe the ſiege to check; was exaſperated to the fury almoſt of madneſs, by the anſwer of the garriſon. The hoſtages were in his hands; they were the children of Seton, and of the other principal perſons within the town: On them, therefore, he threatened to wreak his vengeance. His threats could not move the Scots from the terrible firmneſs of their purpoſe. They execrated that violation of the law of nations which he menaced, but would not ſacrifice the duties of the patriot to the feelings of the father. Thomas Seton, the ſon of Alexander, and now, the only ſurviving child of his parents, was, with inhuman cruelty, hanged before the walls of the town; and the other hoſtages were ſpared only on account of their tender years, and becauſe it was not likely that the murther of the reſt, would produce any better effect than that of young Seton, in diſpoſing the garriſon to a ſurrender. Yet again, Edward found himſelf obliged to grant a ſecond truce to the beſieged; Sir William Keith was permitted to paſs out for the purpoſe of ſeeking counſel and relief from the Scottiſh Regent who was with his army in Northumberland; and it was agreed, that, unleſs a reinforcement of two hundred men

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men ſhould be introduced into the town, to the aid of the garriſon, before the hour of evening-prayer, on the nineteenth day of July; the beſieged ſhould then deliver up the town and caſtle to the Engliſh, upon fair terms of honourable capitulation*.

Battle of Halidon hill.

The Scottiſh army were no ſooner informed of this truce, than they haſtened backward, to ſave the town by throwing into it new ſupplies, or by giving battle to the enemy. The Engliſh army ſtill maintained the ſame advantages of local ſituation, which had before deterred the Scots from attacking them. But, there was now no room for choice or delay. After the reſt of a ſingle night, the Regent drew out his troops in order of battle; and attempted to introduce the neceſſary ſupplies; not without the purpoſe of joining in a general engagement, if the relief of the town, might not be more eaſily accompliſhed. His forces, conſiſting of about fifteen thouſand men, of whom the greater number were light-armed, he diſtributed into four columns, which were ſeverally commanded by John Randolph the young earl of Moray, Robert Steward of Scotland, the Regent himſelf Archibald Douglas, and Hugh earl of Roſs. The Scots, to begin

* Fordun. XIII. 27:—*Scala Chronica* in Dalrymple, Vol. II. Append. 5.

begin the attack, had to croſs the marſhy plain, and to aſcend the heights of Halidon, beyond which the enemy awaited their approach. In a firſt effort, the full-armed ſoldiers of the Scottiſh army, endeavoured to break through the poſts of the Engliſh, to where they might be received by the garriſon into the town. They were repulſed with great ſlaughter. Ere this time, however, the whole Scottiſh army had advanced to ſuſtain that firſt attack, and to charge the whole force of the enemy. The column commanded by the earl of Roſs, aſſailing the flank of the Engliſh army with mighty impetuoſity, ſeemed at firſt likely to make an impreſſion, but were ſoon diſordered and driven back. The fight had now become general: the Scots, conſidering the fate of the liberties of their country, to depend upon the event of the battle, fought in every part of the field, with that deſperate intrepidity which well became the ancient fame of their patriotiſm and valour. But, againſt ſuch odds, in local circumſtances ſo diſadvantageous, and at the ſame time in oppoſition to enemies who were not leſs brave, and were probably better diſciplined, and more completely equipped than themſelves, the Scots could not prevail. The flower of their nobles and warriours fell, bravely fighting: Many were made priſoners: The reſt ſought their ſafety in flight. Diſappointed, in this manner, of all relief, the garriſon of Berwick ſurrendered

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dered the town and caſtle to the victors: And the Earl of March, and Alexander Seton, were even received into favour with the Engliſh King. In the battle of Halidon, in the capture of Berwick, Scotland was once more ſubdued. Douglas the Regent, the aged earl of Lennox, the brave Fraſers, the earl of Carrick, ſeveral chiefs of the family of Stewart, had periſhed in the battle. There was no perſon alive and at liberty, who might have muſtered a new force to make head once more, againſt the invaders. Within a few days after their ſucceſs at Halidon, Balliol and the Engliſh were maſters of all the kingdom, ſave only the caſtles of Dunbarton, Lochleven, Kildrummy, Urquhart, and the fortalice in the iſle of Lochdown, between Galloway and Carrick. Malcolm Fleming, tutor to David Bruce, ſeeing the fortunes of the Brucian party thus ruined and hopeleſs, faithfully conveyed the young King with his Queen, and his foſterbrother Rankine More, from Dunbarton caſtle, in which he had for ſome time reſided, to the Court of France*.

* *Scala Chronica, ut ſupra*:—Fordun. XIII. 27, 28:—Winton, Book VIII.

Chap-

Chapter III.

Tranſactions in Scotland from the departure of David Bruce to France, till the time of his return into his own kingdom.

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The fall of the flower and ſtrength of the Brucian party in the battle of Halidon-hill; the conſequent ſubmiſſion of the kingdom to the victors; and the retreat of David Bruce to France; left hardly any thing more to be done by Balliol, except to ſit down quietly in the poſſeſſion of the Scottiſh dominions, to reward his followers, and to fulfil the humiliating conditions of his treaty with the king of England. Even Alexander Seton and others who had the moſt obſtinately ſupported the intereſts of young Bruce, now acknowledged the authority of Balliol, and heartily engaged in his ſervice. A Parliament was aſſembled by the uſurper; and various meaſures were adopted in order to ſatisfy the demands of the Engliſh King, to reſtore the exile-adventurers to the poſſeſſion of the eſtates which they claimed, and to eſtabliſh a new ſyſtem for the ordinary adminiſtration of the Scottiſh government*.

First Parliament aſſembled by Balliol.

At

* Anonym. Edw. III. 405.—Fœdera IV. 576.—

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At their first meeting, however, the Parliament of Balliol, made but little progress in the settlement of the affairs, on account of which they had been called together. Rival claims could not be easily adjusted: there was still in mens' minds, a wavering of purpose, a turbid ferment of sentiments and passions, which rendered them incapable of steady faith, or calm decision; Balliol durst not proceed to establish himself in the dominion of Scotland without fulfilling his treaty with the king of England; and yet, a measure so degrading as the confession of the supremacy of the English crown, and the dependency of that of Scotland, was not to be proposed in a Scottish Parliament, without extreme delicacy and caution, or without the previous use of all the artifices of political intrigue, in order to secure to it a favourable reception.

Second Parliament.

Within a few months, however, at a second meeting of his Parliament, Balliol procured the ratification of all his engagements with England.

Concessions to England.

To all that Balliol had formerly consented to; submission to the paramount authority of England, service in the English wars with France, the absolute and final surrender of the town and territory of Berwick; his Parliament now gave their concurrence and sanction. Nay, in the written deed in which these were formerly expressed, the concession of Balliol was enlarged, so as to include the forests of Jedburgh, Selkirk, and Ettrick; the

counties of Roxburgh, Peebles, Dumfries, and Edinburgh; with the conſtabularies of Linlithgow and Haddington; and all the towns and caſtles within theſe territories. Balliol ſoon after preſenting himſelf before the Engliſh King, at Newcaſtle upon Tyne, there did homage for the remaining parts of the kingdom of Scotland. Edward reſtored to Balliol, the lands of Buittle, Kenmore, and Kirkandrews, ancient eſtates of his family, which had been unadviſedly included in the ſurrender of the territory of Dumfries. Theſe tranſactions were finally cloſed: And Balliol having fully gratified his potent ally, turned himſelf to enjoy and exerciſe that ſovereign authority which he fancied his valour and diſcretion to have won*.

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Diſſenſions among the adherents of Balliol.

BUT, the ſtrength and union of Balliol's party were for ever broken by thoſe very events which ſeemed to have more than crowned their hopes, and to have permanently eſtabliſhed their intereſts upon a ſecure foundation. The Engliſh barons, and the exiles who had been the firſt to eſpouſe his cauſe, could not be eaſily ſatisfied that any offices and eſtates which he had to confer, were compenſations adequate to their ſervices and merits. Scarcely a ſingle favour or reward was be-

* Fœdera IV. 590. 614. 616. 618:—Hemingford II. 277, &c.

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ſtowed upon any one of them, without provoking the envy and jealouſy of the reſt. Perſonal friendſhip from the King, the degree of attention with which their ancient claims were reſpectively received, and the diſtribution of the various forfeited eſtates of the Brucian party; were ſo many objects by which all their angry paſſions, and all their mutually invidious ſentiments were kindled, and ſoon inflamed to furious hoſtility. Balliol, ſo lately a needy adventurer, like themſelves; even now, not an independent ſovereign, but a vaſſal of the Engliſh monarch; and not yet enjoying the undiſputed poſſeſſion of all the lands and caſtles which the graſping ambition of Edward, had left to him; wanted ſufficient power, to reſtrain their contentions. Amidſt other diſcords, there aroſe among them one quarrel which quickly drove a haughty baron into open revolt. Alexander de Moubray, claiming the ſucceſſion to the inheritance of his deceaſed brother, in preference to that brother's ſurviving daughters; had his claims at firſt allowed, and obtained the enfeoffment which he demanded. Upon this, De Beaumont and De Haſtings, Earls of Buchan and Athole, and the moſt eminent of all the barons who had followed Balliol from England, eſpouſed the cauſe of the injured females, and in diſguſt retired from Balliol's Court. They were courted back by conceſſions, by new grants, and by the reſumption of that which had been granted to Moubray. But, Moubray,

bray, provoked beyond meaſure, by a poſtponing of his intereſts to the wiſhes and intereſts of thoſe rival barons, which was now more mortifying and contemptuous, than if his deſires had been, in the firſt inſtance, abſolutely refuſed; now in his turn retired diſguſted, from Balliol's Court, deſerted that party to which he had hitherto adhered, and ſought the redreſs of his wrongs, by ſtriving to rekindle the yet ſmoking embers of the party of Bruce*. A. D. 1334.

New efforts in behalf of David Bruce.

The ſeaſon was fortunate. The lately ebbing tide of Bruce's affairs, began again to ſwell. Murray of Bothwell, newly releaſed from captivity, and probably not without having ſworn fealty to Balliol, and to England; eagerly aſſociated himſelf with Moubray. Another Moubray, the governor of Roxburgh, ſoon revolted from the Engliſh King, and followed the fortunes of his kinſman. Theſe inſurgents ſpeedily ſhewed themſelves in Buchan, in ſuch force, that, beſieging Henry de Beaumont in his caſtle of Dundarg, they quickly reduced him to a capitulation, by which he obtained liberty to retire, uninjured, into England. In the north-weſt parts of the iſland, about the ſame time, Robert, the ſon of Walter Stewart and Majory Bruce; himſelf, by inheritance, great ſteward of Scotland; after

* Fordun. XIII. 29.

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after lurking ſecretly in the iſle of Bute, for ſome time ſubſequent to the battle of Halidon; returned to the caſtle of Dunbarton upon the mainland; quickly, by the aid of Campbell of Lochow, won the caſtle of Dunoon; by the faithful intrepidity of his vaſſals in Bute, recovered that whole iſle from the adherents to Balliol; and then advancing inwards through the territory of Renfrew, reduced all its inhabitants to own the ſovereign authority of David Bruce. De Roſs, Balliol's governor of Ayrſhire, ſubmitted, without reſiſtance, to the conqueror of Renfrew. The people from all quarters again crowded to join the ſtandard of young Stewart, and to fight for the ſon of Robert Bruce. The young earl of Moray, returning from a ſhort exile in France, to which he had eſcaped after the battle of Halidon; was immediately aſſociated with Stewart in the Regency of the kingdom for David Bruce; and without delay, made himſelf maſter of the territory of Athole, and even gained its earl, David de Haſtings, to deſert the cauſe of the uſurper, and attach himſelf to the fortunes of the lawful monarch of the Scots*.

Exertions and ſucceſſes of Balliol, aided by the Engliſh.

Balliol, confounded and overwhelmed by theſe new events, found himſelf helpleſs and irreſolute as to any meaſures of oppoſition to this gathering

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* Winton. Book VIII:—Fordun. XIII. 29. 32:—Buchanan. L. IX:—Major. L. V. C. 13:—Boeth. XV.

thering hoſt of foes. He ſaw the Scots every where averſe from his government: The ancient followers of his fortune, began to waver in their fidelity, and to abandon his cauſe: Even of the Engliſh, he had not a force at hand, which might be ſufficient for his immediate protection and ſupport. But, the Engliſh King was ſtill ready to lend new aid to his royal vaſſal. Edward Balliol having retired, for ſome ſhort ſpace of time, again into England, was quickly ſent back with an army, with which he was once more enabled to meet the adherents of Bruce. He fought them in the diſtrict of Renfrew; waſted Avondale and the territories adjacent; and ſpending ſome ſhort part of the winter in the royal caſtle of Renfrew; eaſily recovered to his allegiance, not a few of thoſe whom Robert Stewart had lately won to the obedience of the exile King. From Renfrew he paſſed into Lothian; and there without oppoſition, executed ſummary juſtice upon all rebels againſt his authority, or violators of the ordinary peace of the ſociety under his government*.

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Yet, theſe were but vain or petty acts, ſerving neither to reconcile to his intereſts thoſe of his former adherents by whom he had been abandoned, nor

* Hemingford II. 277:—Fœdera IV. 628:—Fordun. XIII. 29:—Buchan. L. IX. &c.

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nor to extirpate the unalterably faithful friends of the rival family. The northern, the weſtern, and even ſome of the middle diſtricts of Scotland, were again covered by his enemies. The ancient ſouthern frontier of Scotland had been, by his own act, delivered up to the Engliſh. Of thoſe dominions of which he was a nominal ſovereign, how ſmall a part actually remained to him? The earl of March, whom neceſſity had conſtrained to profeſs himſelf for a time the vaſſal of Balliol and of England, no ſooner ſaw new hopes ariſe to the Brucian party, than he returned to the allegiance of the rightful monarch of his country. Lochleven-caſtle, one of the ſtrongeſt fortreſſes which were poſſeſſed by the ſubjects of Bruce, was indeed beſieged for Balliol by a powerful force under the command of John de Striveling. This caſtle, however, ſeated in an iſlet within the lake, was not eaſily acceſſible to beſiegers. Yet, by the contrivance of damming up with a ſtrong mound, the ſtream of the Leven, where it iſſues eaſtward from the lake, de Striveling had at length hopes, which were not far from being fulfilled, of producing an artificial inundation, that by ſwelling the waters of the lake till they ſhould cover the iſle, might reduce the garriſon in the caſtle to the neceſſity of ſurrendering to the beſiegers, as their ſole reſource againſt periſhing in the flood. Fortunately for the beſieged garriſon, the feſtival of the ſainted Queen Margaret, called

Unſucceſsful ſiege of Lochleven caſtle.

called away many of the beſiegers to its ſolemn celebration at Dunfermling, amid the operations of the ſiege. De Vipont, who commanded in the caſtle, watchfully ſeizing the opportunity, diſpatched four truſty ſoldiers, who ſecretly approaching the mound that dammed up the outlet from the lake, ſucceeded in forming a breach in it, by which the pent up waters quickly guſhed forth, ſoon leaving the lake at its former level. De Striveling at his return from Dunfermling, beheld the ruined work with inexpreſſible vexation and rage; and indignantly vowed never to deſiſt from his enterpriſe, till he ſhould have taken the caſtle, razed it to the ground, and put the garriſon to the ſword. This raſh vow, however, after ſome farther fruitleſs efforts, he found himſelf ſhamefully compelled to leave unaccompliſhed. Lochleven-caſtle ſtill remained to the Brucian party; and its ſafety was by the ſuperſtitious piety of the age, aſcribed to the care of Saint Servanus, an ancient hermit-diſciple of Columba, to whom there was a chapel ſacred in an iſlet of the lake.—Theſe ſucceſſes encouraged the adherents to the intereſts of Bruce, to aſſemble in a Parliament, at Dairſy in Fife, for the purpoſe of arranging the affairs of the government, and in order to concert new meaſures of defence and offence againſt their common enemies. But, the ſame jealouſies and rivalities which had diſtracted the party of Balliol, here embroiled and diſconcerted

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Parliament at Dairſy.

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concerted the counsels of his opponents. Young Stewart with Hastings the intriguing and turbulent earl of Athol, were for a moment suspected of some dark designs inconsistent with the loyalty they professed to David Bruce. Young Randolph, earl of Moray, and William Douglas, the Knight of Liddesdale, now returned from captivity, set themselves in opposition to the interests and designs of Stewart and Hastings. No regulations of government could be framed, no general plans of warfare could be concerted in this divided Parliament. The angry barons separated, in confusion, and with spirits less disposed to cordial union for the support and advancement of one common interest, than before they had assembled*.

A new and more formidable invasion from England.

Meanwhile, a new invasion was fast approaching from England. Balliol was but the puny and temporary instrument of the English King. It was more for England, than for himself, he conquered: Without an English force he could do nothing; neither his name, nor family, nor person could win any steady attachment of any considerable number among the ancient Scots. But, Edward of England, would not easily relinquish the prosecution of that favourite plan of policy in which his grandfather and his

* Fordun. XIII. 30, 31:—Boeth. L. XV. Fo. 230:—Buchanan. L. IX. &c.

his father had been engaged ſo long. His Parliament, in this inſtance, adopted his paſſions and political views, and eagerly ſeconded his ardour. In vain, did the French King offer his intermediation in favour of young Bruce and his faithful adherents. It was ſcornfully rejected. Edward, in perſon, invaded Scotland from the weſtern marches, with a powerful force. Balliol, with the earl of Warenne, at the head of another body of troops, advanced almoſt in a parallel progreſs; a fleet with proviſions and military ſtores, ſailed at the ſame time along the eaſtern coaſt; and a body of Flemiſh ſoldiers, commanded by Guy, count of Namur, and engaged as mercenaries in the ſervice of England, ſoon after, landed at Berwick, and marched northwards to Edinburgh, on their way to join the grand Engliſh army. The King of England, and Edward Balliol purſued their career, almoſt unencountered by any oppoſition. But, the Flemiſh mercenaries unacquainted with the local circumſtances of the country, and ill-informed concerning the progreſs of the army which they were proceeding to join; had ſcarcely reached Edinburgh, when they were ſurprized by the ſudden appearance of a hoſtile Scottiſh force, which the Earls of Moray and March, with Sir Alexander Ramſay, led on to attack them. Edinburgh was then open and deſolate; the caſtle diſmantled; the town without walls. Count Guy led out his troops

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Defeat of the Flemiſh mercenaries on the Boroughmoor, at Edinburgh.

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to meet the Scots on the Borough-moor. A fierce and obſtinate engagement enſued. Amid its hotteſt rage, two champions from the two oppoſed hoſts, agreeably to the uſages of warfare prevalent in thoſe times; Richard Shaw, a Scottiſh eſquire, and an unknown combatant from among the Flemings; challenging each other, engaged in ſingle combat, within ſight of both armies. At the firſt rencounter, they were mortally transfixed with each other's ſpears. When the dead bodies were afterwards ſtripped of their armour, it was found to be a woman who had ſo gallantly challenged the Scottiſh eſquire. At laſt, the Flemings were about to prevail, when William Douglas, opportunely deſcending from the heights of Pentland, with a reinforcement to his countrymen, at once decided the victory in favour of the Scots. The routed Flemings betook themſelves to the hill on which the caſtle had ſtood, and ſought ſhelter amid its ruins. With the carcaſes of their horſes ſlaughtered for this purpoſe, they attempted to form a rampart againſt the Scots; who, faſt following their ſteps, ſurrounded and hemmed them in on all ſides. Within this ſtrange incloſure, they for ſome time bravely kept their enemies at bay. But, thirſt and hunger compelled them to yield by capitulation. By the Scots to whom they ſurrendered, the terms of the capitulation were fulfilled with punctilious honour. The Count of Namur and his followers, ſwearing

ſwearing on their part, never more to bear arms againſt Scotland in the preſent war, were ſet at liberty, and were carefully eſcorted by the Earl of Moray, with William Douglas and his brother James, to the Engliſh border. On their return, theſe gallant chiefs were attacked by the Engliſh warden of Jedburgh-foreſt; their ſlender company was eaſily ſcattered; James Douglas was ſlain; and the Earl of Moray made priſoner*.

Progreſs and final ſucceſs of the invaſion.

While theſe tranſactions were paſſing in the ſouthern and ſouth-eaſt parts of the kingdom; ſuch of the inhabitants of the other diſtricts, as ſtill remained faithful to David Bruce, in the mean time retired with their herds and moveable goods to the mountains and moraſſes; leaving the country deſolate before the invading armies of the Engliſh. Edward's fleet entering the frith of Forth, ravaged the coaſts, ſacrilegiouſly pillaged the holy iſle of Inch-Columb, and then proceeded northward, along the coaſt, to St Abb's head. The Engliſh monarch himſelf, with his main army, had, at the ſame time, advanced acroſs the land, to Perth. No Scottiſh army made head againſt him. Terrified by his irreſiſtible career, reduced by famine, or allured by offers eagerly held out to them, many of the

* Fordun. XIII. 34, 35:—Boeth. L. XV. Fo. 331:—Fœdera. IV. 658.

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the partizans of David Bruce, now voluntarily submitted themſelves to England, and to Balliol. The Earl of Athole, particularly, and young Robert Stewart, who ſtill ſuffered himſelf to be guided by Athole's counſels; warmly eſpouſed the Engliſh intereſts. Athole, pretending that the purpoſe of his former revolt, was ſolely that he might find more effectual means for promoting the ſervice of the monarchs to whoſe allegiance he now returned; and holding forth magnificent promiſes of ſpeedily reducing all the Scottiſh Nobles to follow his own example, and own Balliol for their ſovereign; had all his eſtates in Scotland and England, reſtored and confirmed to him; and was even nominated Lord-Lieutenant of the former kingdom. A formal treaty was negociated between Athole, Stewart, and their friends and adherents on the one hand, and Balliol and the Engliſh King on the other. This treaty granted a free amneſty to all who having been partizans of Bruce, ſhould henceforth ſubmit to the authority of Balliol; ſanctioned the liberties of the Scottiſh church, and the ancient laws and uſages of the kingdom; and excluded foreigners from all public offices in Scotland, except only the adminiſtration of the royal domains. Perſuaded that, by theſe ſucceſſes and negociations, he had at laſt eſtabliſhed on a ſolid foundation, the authority of Balliol and of England, among the Scots; Edward the Third now returned ſouthward;

ward; while Balliol turned himſelf to maintain and ſtrengthen his intereſts by his own exertions; and Athole with ſubtle policy and active vigour, prepared to fulfil thoſe ſplendid promiſes by which he had procured his pardon*. Sect. I. Chap. III. A. D. 1335.

But, there was yet a ſmouldering flame of fond patriotiſm, of fierce independence, of generous loyalty among the Scots, which fears, hopes, intereſts, and even ſolemn engagements, could not totally extinguiſh. Murray of Bothwell, Douglas of Liddeſdale, and the Earl of March, hiding themſelves in ſecret receſſes, refuſed all ſubmiſſion to the authority of Balliol and the King of England. Even the Engliſh barons in the ſouthern parts of Scotland, and on the border, ſacrificing the intereſts of their ſovereign to private jealouſy or friendſhip, rather favoured than earneſtly purſued thoſe three illuſtrious outlaws, in their attempts to evade, and again harraſs the power of Balliol. The caſtle of Kildrummy, the poſſeſſion of Murray, and at this time the reſidence of his wife and children, being beſieged by Athole, amid his endeavours to ſubject thoſe northern parts to the authority which he himſelf obeyed; intelligence of its danger was quickly communicated to Murray himſelf in the place

New enterprizes of the friends of Bruce.

* Fordun. XIII. 36:—Major. V. 14:—Boeth. XV. Fo. 332:—Hemingf. II. 48:—Fad. IV. 664.

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place of his retreat. Assisted by his two associates, March and Douglas, Murray assembled in the districts of Merse and Lothian, a small company of about eight hundred men, and with these proceeded northwards to attack Athole's army, and raise the siege of his own castle. Athole's troops amounted to the number of three thousand men, but were indifferently accoutered, and not ardently attached to their leader. On his march, Murray was joined by three hundred men from the district of Marre, under the command of John Craig. Strengthened by this reinforcement, and likewise informed concerning the disposition, the temper, and the operations of the enemy; Murray surprized Athole in the forest of Culblane, adjacent to Kildrummy; easily defeated and dispersed his whole force; and slaying Athole himself, thus delivered Scotland from the fickle and turbulent ambition of a young baron, whose restlessness might seem to render him incapable of faithful attachment to any party, and whose influence and abilities could not but make him a formidable enemy to whomsoever he should oppose*.

Death of Earl of Athol.

The immediate consequences of the death of Athole, of the dispersion of his troops, of the relief

* Fordun. XIII. 36:—Major. V. 14:—Buchanan. L. IX:—Boeth. XV:—Fo. 332.

lief of Kildrummy-caſtle, were highly fortunate to the cauſe of David Bruce, and of the national liberty of the Scots. By this ſucceſs of Murray, the ſcattered partizans of Bruce were encouraged, once more to deſcend from their mountains, to come out from their ſecret faſtneſſes, and to join the gallant champions of their country. From the diſtricts of the North, they returned ſouthward; and at Dunfermling, aſſembled in a ſolemn parliament in which Sir Andrew Murray was again recognized as Regent of Scotland, for his nephew David Bruce. Having in this Parliament concerted meaſures for the recovery of the caſtles and territories of Bruce out of the hands of the uſurpers, they proceeded without delay, to the proſecution of new enterpriſes. The caſtle of Dundarg which had been not long ſince demoliſhed, but afterwards rebuilt, and which was now held by Henry de Beaumont; was by him ſurrendered to the Regent, on condition, that Beaumont himſelf, with his followers ſhould be diſmiſſed in ſafety into England, but ſhould never more voluntarily ſerve againſt the Scots. The caſtle of Coupar in Fife, held by William Bullock, a prieſt, for Balliol and the Engliſh, was beſieged by Murray; but its ſtrength, the firm intrepidity of Bullock, and the news of a treaty of truce obtained by the Pope and the Kings of France from the King of England in behalf of the Scots; retarded the capture of this caſtle;

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Succeſſes of the Regent and his adherents.

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caſtle; and the ſiege was turned into a blockade. The caſtle of Lochindorp, the reſidence of Catherine de Beaumont, widow of the Earl of Athole, being likewiſe beſieged by Murray's forces, was alſo ſaved from capture by a truce to which the King of England conſented, in order that he might thus gain time to muſter forces for another invaſion of Scotland*.

Meaſures employed by Balliol and the Engliſh King for the ſupport of their power.

In the mean time, Edward and his vaſſal Balliol had, by various other tranſactions endeavoured to ſtrengthen their power over the Scottiſh dominions. To John, Lord of the Weſtern Iſles, the deſcendent of Somerled, the anceſtor of the Macdonalds, offers were made by Balliol, ſo advantageous, that the almoſt independent, inſular chieftain was induced to deſert the intereſts of Bruce, and to profeſs himſelf the vaſſal of Balliol. Mull, Sky, Iſlay, and Gigha, with the other more conſiderable Hebudian iſles, and the diſtricts of Cantyre and Knapdale upon the Mainland, as well as the wardſhip of the infant-heir of the earldom of Athole; were eagerly granted by Balliol and the Engliſh King, to ſecure the allegiance of ſo potent a vaſſal. But, the treaty, as it ſhould ſeem, rather ſtrengthened and extended the power of the Lord of the iſles, than brought any acceſſion of force and authority to

* Fordun. XIII. 36:—Fœdera. IV. 690.

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to Balliol and the King of England. Edward at the ſame time ſtrove to ſecure the defence of thoſe territories which had been finally ceded to England, by his treaties with Balliol; and for this purpoſe, diſtributed the lands in grants to ſome of his barons, who might be expected to fight with zealous intrepidity for the preſervation of poſſeſſions which had thus become their own. On William de Montague he beſtowed the town and ſheriffdom of Peebles, the town and ſheriffdom of Selkirk, the foreſts of Selkirk and Ettrick. To Henry Piercy he gave the town, caſtle, conſtabulary, and foreſt of Jedburgh; in exchange for the caſtle of Lochmaben, with the diſtricts of Annandale and Moffatdale, which were reſigned by Piercy to the King*.

Another invaſion.

BUT, the efforts of the Scots under the Regency of Sir Andrew Murray, the earneſt ſolicitations of thoſe who were confined in the beſieged caſtles, and his ſuſpicions that a force might ſoon arrive from France, to the aid of the faithful ſubjects of David Bruce; again moved the King of England, to come northward in perſon; for the purpoſe of finally ſubjugating the refractory Scots. He came at the head of an army of twenty thouſand men; and his progreſs by land, was, as before, accompanied by a fleet ſailing along the eaſtern coaſt.

* Fœdera IV. 711. 671, 672.

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While he led his land-army, with the utmoſt haſte, toward Perth; his fleet, after entering the frith of Forth, and ravaging the adjacent lands as far as Alloa and Stirling, then held its navigation onwards to the frith of Tay. From Perth, Edward rapidly proceeded into the more northern counties; raiſed the ſiege of the caſtle of Lochindorp, ravaged the whole diſtrict of Moray, and penetrated as far as Inverneſs. Thomas Roſheme, a knight belonging to the fleet, landing about this time near Aberdeen, was eagerly oppoſed and ſlain by the citizens of that town. Although Roſheme fell, his followers were victorious; and Edward failed not to puniſh the raſh valour of the inhabitants of Aberdeen, by reducing their town to aſhes. Even this progreſs of Edward's, however, could not finally deſtroy the party of Bruce: for, Andrew Murray with his followers and adherents, neither meeting the Engliſh in battle, nor yet coming to make their ſubmiſſion, were content with retiring before the overwhelming tempeſt, to their remote hills and faſtneſſes, from which, after the departure of the conqueror, they might again ruſh down upon the territories which he now over-ran, and might ſoon overturn all his eſtabliſhments. However, to ſecure his conqueſts againſt ſuch attacks, Edward repaired and garriſoned the fortreſſes of Dunnottar, Kinclevin, Laurieſton, Stirling, Bothwell, Edinburgh, and Roxburgh; left at Perth, a conſiderable body of troops;

troops; and then went ſouthward whither he was called by the neceſſities of his other affairs*.

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AFTER the departure of Edward, his officers, ſoldiers, and other adherents continued for ſome time, induſtriouſly to purſue the advantages he had gained over the Brucian Scots; and inflicted many vengeful cruelties on thoſe who unfortunately fell into their hands. Henry de Beaumont, particularly, in revenge for the death of his ſon-in-law, the Earl of Athole, eagerly hunted out, and put to death, as many as he could poſſibly diſcover of thoſe who had fought on the ſide of Murray in the battle of Culblain. But, the Engliſh King had not long been gone, when Sir Andrew Murray, again deſcending from the mountains of the North, ſhewed himſelf with a conſiderable force in the territories which Edward had ſubdued; beſieged, took and levelled to the ground, the caſtles of Dunnottar, Kinneff, and Lawrieſton; and for a while, lurking in the woods of Angus, made continual excurſions againſt the Engliſh who had their head-quarters at Perth. From Angus, he ſoon after paſſed over into Fife; the Earl of March, Sir William Douglas, and many other Scottiſh barons were in his company; having

New enterprizes and ſucceſſes of Sir Andrew Murray.

* Fœdera IV. 687:—Hemingford II. 278:—*Scala Chronica, apud Leland*, 1. 556.

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having taken and demoliſhed the tower of Falkland, they advanced to St Andrews; and after they had for three weeks beſieged the caſtle, they made themſelves maſters of it by a capitulation, which protected the lives and liberties of the ſurrendering garriſon. Having alſo deſtroyed this caſtle, they with ſimilar ſucceſs aſſailed thoſe of Leuchars and Bothwell. A remarkable piece of artillery which they carried about with them, was the engine which ſecured the ſucceſs of all theſe ſieges, here by the ſhattering impreſſion which it made upon the beſieged walls, there, by the terrour which was inſpired by the very report of what its diſcharges had elſewhere effected. Only the caſtles—of Coupar which was ſtill ably defended by William Bullock; and of Stirling for the relief of which the Engliſh made ſome active and alarming movements; from among all the places of ſtrength which the Scottiſh barons about this time aſſailed; were held out againſt their attacks*.

Political views of the Engliſh King on the continent.

While theſe events were paſſing in Scotland, the King of England was, fortunately for the Scots, allured away by other hopes and loftier views of ambition, to diſtant ſcenes of war and conqueſt, on the continent of Europe. Ever ſince the deſcendents

* Fordun. XIII. 39:—Buchanan. L. IX:—Winton. Book VIII.

dents of Rollo had added the kingdom of England to the dutchy of Normandy; the Kings of France had ceaſed to view ſuch potent vaſſals, with other eyes than of jealous hoſtility. Many wars had from time to time ariſen between the two Crowns. But, intermarriages and alliances of affinity, had been occaſionally reſorted to, as expedients for cloſing thoſe wars in peace, or for confirming uncertain, precarious peace, from the boſom of which, war ſeemed ſtill ready to burſt forth. Edward the Third of England was the ſon of one of thoſe marriages; his mother Iſabella, being the daughter of Philip the Fair, King of France. The three brothers of Iſabella, ſucceſſively Kings of France, had all died, without leaving male iſſue. By the acknowledged cuſtom and laws of ſucceſſion to the French Crown, females were excluded from this royal inheritance; and Philip of Valois, the couſin of Iſabella of England was, accordingly called to occupy the throne, upon the death of Charles the Fair, the laſt ſurvivor of her brothers. In oppoſition to this deſtination of the inheritance of the French dominions, her ſon Edward ſet up his own claims; alledging that, however his mother as a female, might be legally incapable of ſucceeding to the throne of France; yet, was he her ſon, agreeably to the generally received principles of the feudal law, qualified to inherit from her, rights to that throne, which could not have immediately

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diately availed herſelf. Stimulated by youthful ambition, and by the martial ſpirit of the age; led on by the counſels and invitations of ſome diſcontented French Barons; and provoked by various petty acts of opening hoſtility: Edward reſolved to make good his pretenſions by force of arms, and if poſſible, to atchieve the conqueſt of France. Full of theſe hopes and purpoſes, he turned his attention from Scotland, the final conqueſt of which, if this had been the ſole object of his ambition, he might have perhaps, at length accompliſhed; to exhauſt the ſtrength of his kingdom in vain foreign enterprizes, which were at once to impoveriſh the wealth, and thin the numbers of his ſubjects, and by their natural conſequences, to impair his own royal authority*.

Naval tranſactions.

While the king of England was thus concerting meaſures, and preparing fleets and armies for the invaſion of France; the Scottiſh royaliſts uſed ſome efforts to procure from abroad that naval armament which they wanted means to equip at home, for the protection of their coaſts from the ravages of the fleets of England. At Genoa they hired ſome gallies for this purpoſe; which were, however, ſeized and burnt, by order of the Genoeſe ſenate, aſſoon as their deſtination was known. From France,

* Froiſſard; Rymer, Vol. IV. &c.

France, a ſmall naval force was fitted out by the partizans of David Bruce; which, if it did not immediately ſail for the Scottiſh harbours; was, however, not leſs uſefully employed in infeſting the Engliſh coaſts, plundering the iſles of Guernſey and Jerſey, and capturing many Engliſh merchant veſſels in thoſe narrow ſeas. Yet, the Scots ſoon after ſuffered a diſaſter at ſea, which was to them much more grievous than all the petty evils which their ſhips could inflict upon the Engliſh. In two veſſels under the command of John Biſhop of Glaſgow, a number of exiles who had formerly retired to France, from the power of Balliol and the Engliſh, were on their way home; and brought with them military ſtores and money, the preſents of the French King to his Scottiſh allies. At ſea, they were met by the Engliſh admiral, John de Ros. A deſperate conflict enſued; the biſhop of Glaſgow was mortally wounded; the Scottiſh veſſels were taken; and in them thoſe ſupplies which were anxiouſly expected in Scotland, and many noble youths, the hopes of the moſt eminent families among the Scots*.

A. D. 1336-7.

Meanwhile, the Regent and the other Scottiſh Barons of the party of Bruce; now maſters of a great

* Fœdera IV. 700. 721:—Fordun. IV. 727:—Heming. II. 280.

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great portion of the midland districts of the kingdom; and having by the capture of Bothwell-castle, opened to themselves a passage toward the western border of England; went on an enterprize to retaliate the invasions by which their country had so long been harassed. They entered Cumberland, and wasting the country round Carlisle, returned with their booty safely home*.

Transactions in Lothian.

The siege of the castle of Edinburgh, now rebuilt and fortified by the English, was the next great enterprize in which Murray and the Scottish Barons engaged. When they advanced towards Edinburgh, the inhabitants of East, and of Mid Lothian, either awed by their force, or glad to forsake the English, assoon as they could be protected in the desertion; renounced, for the greater part, their fealty to Edward, and submitted to the government which ruled for David Bruce. But, while the siege of Edinburgh-castle was earnestly pressed by the Regent's army with fair hopes of success; the English, informed of its danger, hastened from the border, in considerable force, to raise the siege. At Crichton in Mid Lothian, they were encountered by a body of Scots, under the command of William Douglas. A desperate action was there fought, in which neither party proved

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* *Scala Chronica* apud Leland, I. 556.

ed decisively victorious. Douglas himself was grievously wounded; and Sir Andrew Murray, in consequence of these events, found it necessary for a time to relinquish the siege. Yet, to preserve, at least in part, that authority which he had recently acquired in Lothian; the Regent appointed Laurence Preston to be sheriff of the district. A number of its inhabitants still adhered to David Bruce: And as the rest were attached to the English interests; many mutual hostilities ensued between the two parties, by which this whole region was wasted almost to utter desolation. The English garrison in Edinburgh-castle, no sooner saw themselves relieved from the siege by which they had been for a while sorely pressed, than they renewed their excursions through the circumjacent country; plundering and cutting off the Brucian Scots wherever they could find any of their goods, or could surprize themselves in straggling parties. The unarmed and helpless peasantry, they pillaged and massacred with the most wanton cruelty*.

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Bold deed of Robert Prendergrest.

It was amid these transactions, that they were one day conducted by a bold Scot, whose name was Robert Prendergrest, to the capture of a rich booty in cattle on Calder-moor. Prendergrest was at once the guide of the expedition, and the brav-

* Hemingford. II. 280:—Fordun XIII. 44.

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eſt actor in its accompliſhment. Yet, amid the feſtivities of the evening, after their return home, inſtead of being honoured for the good ſervice he had that day performed, he found himſelf ſeated at table in a mean place, among the ſervants. Enraged at the undeſerved indignity, he ſat ſullenly ſtill, without eating or joining in the gaiety which reigned around him; until the marſhal, noticing his abſtinence and ill-humour, aſked him the cauſe. Prendergreſt returned an angry, haughty anſwer; upon which the marſhal ſtruck him on the head, till his blood guſhed copiouſly from the wound which was thus inflicted. The Scot with ſeeming patience bore this new injury; but took the firſt opportunity of retiring that evening from among the Engliſh in the caſtle, to an inn in the town. Here he lay in wait till the marſhal with ſome followers came next day down into the town, perhaps unarmed, and aſſuredly without expecting any inſtant danger. No ſooner, however, was the marſhal ſeen by the vengeful Prendergreſt, from where he awaited his enemy's approach, than the Scot ruſhed with the rapidity of lightning, from his concealment; with a drawn ſword pierced to the heart the proud Engliſhman, by whom he had been injured; mortally wounded three of the marſhal's followers who attempted to ſeize or ſlay him; and then quickly mounting his horſe that ſtood in readineſs, eſcaped unhurt to St Auguſtine's

tine's chapel, within the ſacred precincts of the monaſtery of the *Holy-Rood*. The Engliſh followed furiouſly after, and found him kneeling before the altar in the chapel. But, venerating the ſanctity of the place, they durſt not there ſlay him. To ſatiate their vengeance, therefore, without the direct commiſſion of ſacrilege, they ſet a guard upon the door of the chapel, ſtrictly hindered meat or drink from being conveyed to the refugee within, and even pricked his body from time to time, with the points of their weapons, to prevent him from receiving the refreſhment of ſleep. But, the friars pitying his diſtreſs, ſecretly brought him proviſions; entering by night at the roof, through paſſages unſeen by the Engliſh ſoldiers. For twelve days and twelve nights, the Engliſh kept Prendergreſt thus ſhut up in the chapel; daily expecting to ſee him die by the torments of hunger; while the friars, each night, ſupplied him with new refreſhments. At laſt, on the morning after the twelfth night, three of the holy brethren let down to him a ſtrong rope; which having faſtened about his waiſt, he was thus drawn up by them out of the chapel, and ſecretly conveyed into the monaſtery. Here the good friars without delay diſguiſed him in a friar's garb, and ſoon after carried him out to walk with them on Saliſbury-heights; from which they ſent him away in ſafety. He forthwith repaired to William Douglas, who lay with a party

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ty of troops, on the moors of Pentland; and communicated to Douglas ſuch intelligence as enabled him, on the following night, to come upon the Engliſh, while they lay incautiouſly ſcattered in the town, and to ſlay about eighty of them, without endangering his own ſafety, or that of his followers*.

Siege of the caſtle of Dunbar.

To relax for ſome time the active hoſtility of the Scots, while his military and political cares were turned chiefly towards the continent; the Engliſh King now for ſome months amuſed them with negociations for an armiſtice or a final pacification. But, theſe negociations proved fruitleſs; and the Engliſh renewing their hoſtilities, laid ſiege to the caſtle of Dunbar, the principal fortreſs that was yet poſſeſſed by the Scots on their eaſtern coaſt. William Montague, earl of Saliſbury, led an army by land from Berwick, to beſiege this caſtle; and at the ſame time, two Genoeſe gallies, commanded by John Doria and Nicholas Fieſca, were procured to block it up by ſea. The caſtle was bravely defended by the daughter of Randolph, Agneſs, Counteſs of March, in the abſence of her Lord. For two and twenty weeks, the ſiege was vigorouſly urged by the Engliſh, and as bravely reſiſted by the Scots within. By its natural ſituation on a rock

* Fordun. XIII. 42.

rock almoſt ſurrounded by the ſea, it was nearly impregnable: It was fortified, beſides, with all the ſtrength of Art: But, its beſt defence was found in the more than manly heroiſm, wiſdom, and activity of the Counteſs, who has been diſtinguiſhed in hiſtory, in the way of eminence, by the familiar appellation of *Black Agnes*. By her example, by her generous munificence, by her ardent exhortations, ſhe ſtimulated the garriſon to a degree of conſtancy and intrepidity of which they muſt have been otherwiſe incapable. When Montague impatient of the lengthening out of the ſiege, proſecuted it with extreme eagerneſs, and employed the moſt powerful engines to make an impreſſion upon the walls; the counteſs ſtill ſhewed herſelf on the battlements, and contemptuouſly wiped away with a handkerchief, the duſt with which the caſtle-walls were beſpattered by the engines of the beſiegers. Of thoſe engines the moſt remarkable was one of that ſpecies called a *ſow*: but when this was advanced to the walls, the beſieged, by the direction of the Counteſs, ſuſpended over it from the battlements, a huge fragment of a rock; and calling in ſcorn to the beſiegers, that their *ſow was about to farrow!* let fall the rock upon the engine, and thus cruſhed it into a thouſand pieces. Yet, the ſiege was ſtill earneſtly proſecuted; the beſiegers being prompted to perſevere, equally by reſpect for their own honour, and by concern for the intereſts of their

A. D. 1338.

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their ſovereign. An attempt to ſeduce a ſoldier in the garriſon to betray the place, ſeemed to be at firſt not unſucceſsful. The ſoldier was perſuaded to accept the offers made him from Montague; entered into a correſpondence with the beſiegers; and at laſt agreed ſecretly to open the gate for their admiſſion into the caſtle, at a fixed time. Montague, with a party of his ſoldiers, were ready at the gate, againſt the hour which had been mutually appointed between him and the Scottiſh ſoldier. The gate was opened; Montague himſelf was the firſt to advance; yet, as he paſſed in, one of his attendants, John Copland by name, preſſed on before him: And no ſooner did thoſe within diſcern that one man had croſſed the threſhold, than they let down the portcullis; thus at once confining Copland, and excluding Montague with the reſt of his party. Copland remained a priſoner; and the ſtratagem was entirely defeated: for the ſoldier by whoſe treachery the Engliſh commander had expected to gain poſſeſſion of the caſtle, had been treacherous to none but him; and had amuſed him with the hope of admiſſion to ſurprize the garriſon, only of purpoſe to bring Montague himſelf into a condition in which he might be made priſoner. It was in conſequence of miſtaking Copland for Montague himſelf, that thoſe within had ſo haſtily let the portcullis down. Diſappointed thus in every aſſault and every ſtratagem, the Engliſh

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liſh were at laſt compelled to convert the ſiege into a blockade; hoping yet to ſubdue by famine and the privation of all neceſſary relief, thoſe whom they could not here by other means conquer. Yet, notwithſtanding the vigilance with which they maintained this blockade, the brave Alexander Ramſay, with forty choſen companions, ſailing in a dark night from the contiguous rock of the Baſs, introduced themſelves into the caſtle of Dunbar, by a poſtern adjacent to the ſea, and thus ſo relieved and ſtrengthened the garriſon, as to enable them ſtill to baffle every effort of their enemies. The Engliſh deſpairing of ſucceſs, at laſt raiſed the ſiege, and marched away in diſgrace from before a caſtle, to take which all their endeavours had been fruſtrated, chiefly by the wiſdom and intrepid activity of a woman*.

Succeſſes of the Scots in the ſouthern counties.

The raiſing of the ſiege of the caſtle of Dunbar, ſo glorious and fortunate to the Scots, eſſentially contributed to animate their courage, and to improve the union, and augment the numbers of the party of David Bruce. In the northern parts of the kingdom, the chieftains and their vaſſals were for the greater part, cordially attached to the cauſe of Bruce, and of their country's freedom. Even in

* Hemingford II. 281:—Fordun. XIII. 41:—Buchanan. L. IX. &c.

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in the middle parts, the Brucian party prevailed more extenſively than Balliol and the Engliſh. That territory which, in the partition of Scotland with his creature Balliol, the Engliſh monarch had reſerved for himſelf, was again occupied or threatened by the Scots. Thoſe caſtles and ſtrong-holds, by which alone, the Engliſh ſtill maintained a footing in the other parts of Scotland, were already either actually beſieged by the Scots, or were at leſt reduced every day, into greater danger than before. Sir Andrew Murray, the Regent, about this time died. But, new heroes continually aroſe for the deliverance of their country, and the chaſtiſement of its oppreſſors. Robert Stewart, no longer miſled by the pernicious counſels of the fallen Earl of Athole, was choſen to ſucceed Murray in the Regency. Ramſay, whoſe gallantry had ſo periloufly brought relief to the garriſon at Dunbar, now, with a company of brave young men, concealing themſelves in the caves of Hawthornden, ſallied forth from time to time, and haraſſed the Engliſh, wherever they could be encountered in thoſe ſouthern parts, with ſignal ſucceſs. In one action, as he and his company were upon their return out of Northumberland with a large booty, they led into an ambuſcade, a conſiderable company of Engliſh warriours, who, under the command of Robert Manners, met or overtook them; and cut off Manners and his party almoſt to a man.

William Douglas, not leſs intrepid and inceſſantly active, recovered from the poſſeſſion of the Engliſh, the diſtrict of Teviotdale*. A. D. 1339.

Supplies ſent from England to the garriſons of Perth and Coupar.

DURING all this time, Edward's concern was too excluſively engroſſed by his affairs on the continent, to leave him leiſure for new efforts to maintain and extend his power in Scotland. Endeavouring, however, to ſtrengthen his fortreſſes againſt the menaced attacks of the Scots, he ordered ample ſupplies of proviſions and military ſtores to be ſent particularly to the garriſons at Perth and Coupar. William Bullock who had gallantly defended the latter of theſe places againſt the aſſaults of Sir Andrew Murray, was continued in the command of it. But, Edward doubtful of the fidelity of thoſe to whom the cuſtody of Perth, had been confided, required Balliol now to intruſt the government of that important place to Thomas Ughtred, a man of whoſe loyalty and courage he entertained no unfavourable ſuſpicions†.

Succeſsful ſieges of Coupar and Perth.

COUPAR and Perth were the two places which the Scots at this time, the moſt earneſtly deſired to recover. Nor was it long till Stewart the new

* Fordun. XIII. 43, 44. 48, &c.

† Fœdera V. 68.

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Regent, found means to make himſelf maſter of the former of theſe places. Bullock, who commanded in the caſtle of Coupar, although at this time, accidentally engaged in the ſervice of the Engliſh, was in his heart, not unfriendly to the liberties of the Scots. Stewart opened a ſecret correſpondence with him, and by offers more tempting to his private intereſts, than any thing he could hope to obtain from the Engliſh monarch, allured him to betray his truſt, and to ſurrender voluntarily to the Scots, that caſtle which he had ſo gallantly defended againſt all their attempts to take it by violence. Thus maſter of the fortreſs of Coupar, the Regent next turned all his efforts againſt Perth, now the moſt important ſtrong place which remained to the Engliſh, in thoſe parts of Scotland. In the counſels of Bullock alone he found no mean reſource, to proſper his enterprize. All the braveſt warriours of his party eagerly ſtrove, who ſhould be foremoſt in its darings and dangers. William Douglas ſeaſonably returning, at this juncture, from an embaſſy on which he had lately gone, to implore the aid of the French king; brought a fleet of five ſhips of war, and on board theſe, a conſiderable number of gallant, auxiliary warriours, all equipped in complete armour. Perth was therefore cloſely beſieged by a formidable and well-appointed force: The French fleet guarded the mouth of the Tay, to prevent the garriſon from ſending out

out intelligence, or receiving relief by ſea: The Scottiſh army puſhed their aſſaults upon the town, with inconceivable activity and boldneſs. Yet, Ughtred, the governor, made a firm and gallant reſiſtance. The fortifications were ſtrong; the garriſon were abundantly ſupplied with proviſions and all other neceſſaries; and were little leſs zealous to fulfil their duty to the King of England, than was the Scottiſh Regent to reconquer the place for the ſovereign whoſe authority he adminiſtered. At laſt, however, after many gallant ſoldiers had been ſlain, many dangerouſly wounded, on both ſides; when the beſiegers had, by a mine, drawn off the waters from the trench ſurrounding the walls; when, in conſequence of this ſucceſsful artifice, they had advanced their encampment cloſe up to the town, and were preparing to make a general aſſault, and if poſſible, to take it by ſtorm: Ughtred and his garriſon, aware that farther reſiſtance would be vain, agreed to a capitulation, and delivering up the town, were themſelves honourably diſmiſſed into England. Nor did the Regent, after this ſucceſs, longer detain his French auxiliaries; but having liberally rewarded their ſervices, he permitted them to ſail immediately away for France*.

A. D. 1339.

Stirling-

* Fordun. XIII. 45, 46.

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Capture of Stirling Caſtle.

Stirling-Caſtle, leſs ſtrongly garriſoned, but little leſs important to either party, than Perth, next drew the attention of the Scots. Stewart, with all his forces, marched, without delay, from the conqueſt of Perth to the ſiege of Stirling. Thomas Rokeſby, its governor, with the garriſon, diſpirited by the general misfortunes of their friends in other quarters, and hopeleſs of relief from England; made but a feeble defence, and were quickly reduced to ſurrender to Stewart upon the ſame terms of capitulation which had been granted to the Engliſh garriſon of Perth. The cuſtody of this caſtle was then committed to Maurice Murray; and the Regent now maſter of all the territory, towns, and caſtles of Scotland which lay North from the frith of Forth, went upon a grand progreſs through thoſe parts, to adminiſter juſtice, and re-eſtabliſh civil order*.

Ill ſucceſs of the Engliſh King on the continent.

Edward the Third of England, was, during a great part of this time, abroad on the continent, proſecuting his claims to the Crown of France. Having by various artifices and conceſſions, obtained from his Parliament of England, unuſually large ſupplies for the exigencies of the continental wars; he engaged ſeveral German Princes, and ſome of the ſtates of Flanders, to accept ſubſidies

* Froiſſart I. 74:—Fordun. XIII. 46.

ſidies of his money, and to furniſh him with forces and ſtores. At length he took the field with an army of fifty thouſand men, and threatened to over-run France with an irreſiſtible invaſion. But, the French King was already prepared to meet him: His Allies were more concerned to receive their ſubſidies, than to forward his enterprize: His pecuniary reſources already exhauſted by drawing his army together, and equipping them in the firſt inſtance for the ſervice, were altogether inſufficient to ſupport them even for a ſingle campaign. He drew out his army on the fields of Vironfoſſe, in oppoſition to that of Philip: The French and the Engliſh mutually defied each other to combat: Yet, no battle enſued. Edward withdrew his forces into Flanders; and ſoon after returned to England, to contend with the jealouſies and the refractory ſpirit of his barons; and to meet the unpleaſing news of the misfortunes ſuffered by his arms in Scotland. Had it not been for his foreign enterprizes, and for the difficulties into which they led him; Edward might perhaps have accompliſhed the final conqueſt of Scotland; the Scots, at leſt, could not have ſo ſpeedily traverſed all his deſigns, and fruſtrated all his meaſures to enſlave them*.

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* Froiſſart, Hemingford, Walſingham, &c.

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A truce negotiated, about this time, between the Kings of France and England, was intended also to comprehend the Scots. But, the Scots were, at present too successful in their efforts for the deliverance of their country, to be disposed to interrupt those efforts by any temporary cessation of hostilities. In an inroad into England, led by the Earls of March and Sutherland, they were repulsed by Thomas de Grey. But, a stratagem which was soon after devised for the capture of the castle of Edinburgh, proved more successful. William Bullock, whose skill in the arts and devices of war, excelled that of almost all his contemporaries; was the author of the stratagem: William Douglas, William Frazer, and Walter Curry conducted its execution. Walter Curry, the master of the vessel destined for this service, received into his ship at Dundee, the other leaders of the expedition, with a band of two hundred resolute followers. From Dundee, they straightway sailed to Inchkeith in the frith of Forth. There casting anchor, Curry with only one or two attendants, came immediately on shore, and took his way to Edinburgh-castle. His attendants bore some leathern bottles of wine and ale, with a small quantity of biscuit; which Curry presented to the commander of the castle, as specimens of a cargo of provisions, which he pretended that he had brought from England for the use of the garrison. A merchant bringing such

A. D. 1340. Capture of Edinburgh castle.

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ſuch a cargo, could not meet an unfavourable reception. His requeſt of permiſſion to bring his cargo, next morning, into the caſtle for ſale, was eagerly granted. Returning to his companions at the ſhip, he informed them of the kindneſs with which he had been received, and of the unſuſpecting admiſſion which he was, on the following morning, to find at the gates of the caſtle. In the night, William Douglas, with the greater number of the party, landing from the veſſel, hid themſelves in ambuſh, where they might be ready for the enterprize of the morning. When the morning dawned, Curry himſelf, with a few others, repaired ſtraight to the caſtle, with burthens of thoſe liquors and proviſions which they pretended to bring for ſale. The gates were readily thrown open, as had been promiſed; Curry and his followers threw down their burthens in ſuch diſorder in the very gates, that theſe could not be immediately ſhut: At the ſounding of a horn, a ſignal which had been previouſly agreed upon, Douglas and his company ruſhed out from their place of ambuſh. Ere the ſoldiers of the garriſon could awake and ſeize their arms, the Scottiſh band had, all, entered the caſtle. Yet, a deſperate conflict enſued, and many of the Engliſh were wounded, a number ſlain, ſome trampled to death, ſome daſhed headlong from the walls, before the Scots could make themſelves deciſively maſters of the place. No ſooner

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ſooner was the caſtle theirs, than the townſmen whom fear and neceſſity had alone ſubjected to the Engliſh, offered their ſervices to Douglas, and profeſſed their fealty to David Bruce. The cuſtody of the caſtle, thus fortunately recovered, was intruſted to William Douglas, the baſtard brother of William the knight of Liddeſdale, who had ſo eminently aſſiſted at its capture*.

David's return from France.

Very ſoon after the capture of Edinburgh-caſtle, David Bruce, with Jane his queen, arrived from France, to aſſume the government of his own dominions; landing at Inverbervie in the ſhire of Kincardine. Now in the nineteenth year of his age, he might be eſteemed almoſt ripe for the active duties of royalty. His reſidence in France during ſo many of his boyiſh years, had ſaved him from the danger of captivity with the Engliſh. But, it had alſo eſtranged him from the manners and habits of life which prevailed in his own country; and had left room for the bold barons who in his abſence maintained his cauſe, to acquire an influence and authority among his ſubjects, which it was not likely that he ſhould ſoon be able to counterbalance or reduce within due bounds. He returned into a kingdom of which the

* Fordun. XIII. 47:—Boeth. XV. Fo. 334:—Buchan. L. IX:—Winton. Book VIII:—Major. L. V. C. 16, &c.

the greater part was now once more reſcued from the power of his enemies. But, he returned to purſue a doubtful and perilous warfare, of which his Crown was to be the prize; with foes whoſe national ſtrength if properly directed, was ſtill evidently ſufficient to cruſh with little difficulty, all the force and exertions of him and his faithful ſubjects; whoſe ambition for the conqueſt of his kingdom, had been inherited from generation to generation; whoſe policy was bold, ſubtle, artful, unreſtrained by ties human or divine*.

A. D. 1341.

Chapter IV.

From the return of David Bruce out of France, to the time of his being made priſoner by the Engliſh at the battle of Durham.

David the Second, with his conſort, were received by their ſubjects, with the fondeſt joy, and with many loyal congratulations. By him thoſe faithful ſubjects whoſe attachment to his intereſts, had been proved by their ſcorning for his ſake, all the

Renewal of the war after David's return.

* Fordun. XIII. 49:—Winton, Book VIII:—Buchanan. L. IX:—Leſl. L. VII. p. 242.

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terrours and ſeductions of danger, diſtreſs, avarice, and ambition, were naturally treated with the moſt grateful reſpect and kindneſs, which a man and a King could teſtify. His couſin, the Earl of Moray, lately returned from captivity in England; his nephew, Robert Stewart; William Douglas, the bold and indefatigably enterprizing knight of Liddeſdale; the generous and gallant Alexander Ramſay; the faithful Malcolm Fleming; William Bullock, whoſe crafty counſels and unrivalled ſkill as an engineer, had been of the utmoſt ſervice firſt to the Engliſh, and lately to the Scots; with many other heroes who had gallantly fought and conquered in the cauſe of their country and their king; were the firſt objects of the young monarch's favour, the illuſtrious ornaments of his Court, the ſureſt defence of his dominions. Some few months paſſed undiſtinguiſhed by any remarkable military tranſactions. But, David was not of an unwarlike temper; the ſouth-weſt diſtricts were ſtill ſubject to Engliſh uſurpation: Moray, Douglas, and Ramſay were Lords of the Marches: Edward would not yet withdraw his troops, and relinquiſh the hopes of ſubduing Scotland: And the proſecution of the war, was ſoon, therefore, furiouſly renewed*.

In

* Fordun. Buchanan. &c.

A. D. 1342. Inroads into England with various ſucceſs.

IN the firſt months of the year one thouſand three hundred and forty-two, the Earl of Moray led an army to invade the borders of England; and in the expedition, his young ſovereign, without aſſuming any eminent command, ſerved under his banner. They deſolated Cumberland as far as Penrith, and without meeting any diſaſter, returned home in ſafety, with their booty.—About the ſame time, Alexander Ramſay, guided by the ſuggeſtion and counſels of a man named *Odo Ednam*, who was probably well acquainted with the local circumſtances of the place; took with him a ſelect band of followers; and ſcaling the walls of Roxburgh-caſtle, valiantly maſtered the garriſon within, and thus expelled the Engliſh from this important fortreſs and the territory depending upon it. The young King, pleaſed with this ſucceſs of his arms, and charmed with the generous heroiſm of Ramſay by whom it was atchieved; rewarded the ſervice by conferring upon the victor, the cuſtody of the caſtle, and the ſheriffdom of the adjacent diſtrict; the laſt of which offices had been for ſome time held by the knight of Liddeſdale. In another inroad into England, almoſt immediately ſubſequent to the capture of Roxburgh-caſtle, the Scottiſh arms were ſomewhat leſs ſucceſsful. The King himſelf now led the expedition; the country was waſted by his troops: But five young warriours of rank, on whom David had recently conferred

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red the honours of knighthood, being circumvented in a morass, at a distance from the strength of the Scottish army, were made prisoners by Sir Robert Ogle, who afterwards exacted a great sum of money for their ransom*.

Cruel murther of Alexander Ramsay by Douglas.

But, the young King was soon to experience in a remarkable instance, the impotence of his own authority, and the ungovernable fierceness of those barons by whom he was supported on the throne. Douglas, mortally offended by the loss of that sheriffdom which had been taken away from him, to be bestowed upon Ramsay, instantly vowed revenge upon the competitor who had supplanted him. Yet, by the interference of their mutual friends, the angry rivals had been apparently reconciled. On the part of Ramsay, the reconciliation was sincere; but with Douglas, it was unfortunately otherwise. Ramsay soon after repaired to Hawick, there to hold his Court, as sheriff of the district. In the church at that place, he expected the coming of those who had been summoned to attend his Court, and to support him in the execution of his office. While he there waited, slenderly attended, unarmed, unsuspecting and undesigning of mischief; William Douglas suddenly arrived, with a company of armed followers. Finding his hated

2 rival

* Fordun. XIII. 49:—*Scala Chronica, apud Leland.*

rival thus helpleſs againſt his fury; Douglas, unmindful of their late reconciliation, and of the ſanctity of the place; inſtantly attacked Ramſay, ſlew ſeveral of his attendants, ſeverely wounded himſelf, made him priſoner, bound him with fetters, and in this captivity and confinement, conveyed him to the caſtle of Hermitage. At Hermitage, Douglas inhumanly caſt his priſoner to periſh in a dungeon; ſuffering no food to be given him; altho', as it is ſaid, by picking up ſome grains of corn which he found accidentally ſcattered in the place of his confinement, the unfortunate Ramſay found means, there to protract his miſerable exiſtence for the ſpace of ſeventeen days. Thus died by the moſt wretched and tormenting of deaths, the generous and gallant Ramſay, than whom no Scottiſh knight of the age in which he lived, has been handed down to poſterity with a fairer fame. None had exceeded the deeds which he had already performed; and boundleſs were the hopes which his country had conceived of him.—In vain did David Bruce wiſh to puniſh this atrocious act of lawleſs cruelty and perfidy. Douglas, the moſt faithful of his barons, the beſt ſupporter of his throne, the terrour of the Engliſh, was, in the preſent juncture of affairs, above all law. After the firſt ebullition of the King's wrath had evaporated, Douglas's crime was pardoned, at the interceſſion of Robert Stewart; A. D. 1342.

and

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and he was inſtalled in thoſe honours and poſſeſſions of his murthered rival, the envy of which had prompted him to the guilty deed*.

Fall of William Bullock.

William Bullock ſoon after fell by a ſimilar fate. Whether his fidelity were reaſonably ſuſpected; or he had enemies who dreading his abilities and his influence, went about to accompliſh his ruin by falſe accuſations: Certain it is that he was denounced as a traitor, that the accuſation found credit with David, and that Bullock was ſeized, carried a priſoner to the caſtle of Lochendorp, and there ſhut up in a dungeon, and left to periſh by hunger†.

Another incurſion into England.

A third expedition into England, ſoon after followed. It was gallantly conducted by the King in perſon. By the Engliſh of the northern counties, he was oppoſed ſo vigorouſly, as to be prevented from penetrating far into the country, or committing any wide devaſtation. He returned home, however, without incurring any diſgrace, and without ſuffering any loſs of the numbers of his army. The next enterprize attempted by the Scots, was againſt the caſtle of Lochmaben. From the

* Fordun. XIII. 50:—Major. L. V. C. 18, &c.

† Fordun. XIII. 50:—Winton, Book VIII.

the siege of this important fortress, they were compelled to retire, by the exertions of Selby the English governor of the castle, aided by succours expeditiously brought against the besiegers by Kirkby bishop of Carlisle, and Thomas de Lucy. Farther hostilities between the two nations were for a short time suspended, by a truce which had been agreed to, between the Kings of France and England, and which was framed to comprehend all the allies of both*.

A. D. 1342. Unsuccessful siege of Lochmaben-castle.

During the period of truce which followed, some negociations were entered into between the King of England, and William Douglas, whose faith to his country and his sovereign, had hitherto stood unshaken amidst every trial. Douglas had, by the inhuman murther of Ramsay, probably lost that confidence and esteem of his King and country which his former atchievements had merited. Conscious of a crime so atrocious and so ungenerous, he was perhaps ill at peace with himself. A man in this situation was fitted to become a traitor. And yet, it is not certain that Douglas, although suspected by his fellow-countrymen, although tempted by the seductions of the English, ever consented to any proposals from Edward. We shall see

Douglas suspected of treachery.

* Fordun. XIII. 49:—Froissard. L. 1:—Walsingham, 160, 161.

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see him again fight and suffer in the cause of Scotland and of Bruce*.

A. D. 1342.

Present condition of Edward Balliol.

Edward Balliol had now long ceased to be eminently conspicuous in the conduct of these wars. Brought into Scotland at first by men who rather regarded him as a fit tool for their private purposes, than acted with any concern for the rights and interests of his family; he had been forsaken by those men, assoon as they found that the King of England could, alone, support them in the prosecution of their claims. Not only had he none among the subjects of Bruce, who were now spontaneously disposed to favour his pretensions; but his very name was universally abhorred, because his interests were considered to be incompatible with the independence of his country. Compelled by the necessities of his situation, to have recourse from the very first, to the support of the English monarch, and to accept it upon conditions extremely humiliating; he had quickly ceased to have any authority in concerting those measures, or directing those expeditions which were said to be employed to win for him a kingdom, and to establish him in the possession of it. His personal character, although not despicable, was not qualified, like that of Wallace, or of Robert Bruce, "to bid help and hinderance vanish before

* Fœdera V. 379.

before him," to triumph over every difficulty, to brave every danger, to grasp the prize at which he aimed, in spite of all the opposition of men, and all the malice of fortune. In consequence of all these circumstances of his character and fate, Balliol was no longer more than an inconsiderable private person, humbly dependent even for his personal maintenance upon the King of England's bounty. Edward had long since, first lent him the sum of two hundred pounds, and afterwards granted him a daily pension of thirty shillings in time of peace,—of fifty during war; to be paid during the good pleasure of the donor. Balliol held, at this time, some subordinate authority in the North of England; but was no longer in a condition to make himself in any degree formidable by his own resources, or to exalt himself in competition with David Bruce*.

A. D. 1342.

English affairs.

In the mean time, the genius, and ripening experience of Edward the Third, had begun to gain an ascendency in his wars on the continent, over the meaner talents of the King of France. The truce expired; and hostilities were fiercely renewed. Before the term of its expiration, the Scots had already begun to make ravaging inroads upon the

* Fordun. Fœdera, V. 62. 85. 108, 109. 131. The sums of thirty shillings a day in time of peace, and of fifty shillings a day, during war, were afterwards enlarged respectively to forty shillings, and sixty shillings, 186.

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Engliſh borders. No ſooner was the war avowedly recommenced, than David Bruce ſummoned all the military tenants of his Crown to meet him in arms at Perth; and there made a general muſter preparatory to a grand invaſion in which he had hopes of conquering the northern provinces of England, ſo as to annex them for ever to the dominions of the Scottiſh Crown. So tumultuous an aſſembly of barbarous clans, could not come together, without much diſorder, and many fierce contentions. Among other barons, who reſorted to David at Perth, were two powerful chieftains of the Highland Clans, William Earl of Roſs, and Raynald of the Iſles. There probably exiſted between them, at this time, ſome private feud; for while they lay with their followers at the monaſtery of Elcho, the Earl of Roſs ſent aſſaſſins who murthered Raynald with ſeven of his attendants by night; and early on the morrow, Roſs withdrawing his troops from Perth, haſtily retired to the mountains, to eſcape the juſt puniſhment of the crime which he had perpetrated*.

David invades Northumberland.

But, the crime of Roſs, and his rebellious departure with his troops, were not to fruſtrate the deſign with which David had aſſembled his barons and their followers at Perth. With a numerous, but for the greater part, an irregular and imperfectly equipped army, the King ardently proceeded ſouthward

* Fordun. L. XIV. C. 1:—Winton. Book VIII.

ſouthward upon the invaſion which he meditated. Advancing by the middle marches, he made his firſt attempt againſt the Engliſh by the ſiege of Liddel-caſtle, on the very confine between the two kingdoms; which was held by Walter Selby, a man notoriouſly guilty of thoſe practices of robbery and ravage, as well in times of truce, as during war, and committed almoſt indifferently on the Scots and on the Engliſh, for which his border-ſituation gave him opportunity. The caſtle was taken by ſtorm; and Selby being deemed unworthy of that mercy by which the laws of war uſually ſpare the lives of the vanquiſhed; was himſelf beheaded; while his fortreſs was razed to the foundation. Even here, however, and after this firſt ſucceſs, Douglas, upon news that the Engliſh were not unprepared to meet and repulſe the invaſion; counſelled his ſovereign to relinquiſh this enterprize, and return with all his forces homeward. But, the French Allies of David, expected him to make ſuch a powerful diverſion in Britain, as might perplex, weaken, and diſconcert the Engliſh King amid his military operations on the continent: David himſelf, in the gallant ardour of youth, could not endure the idea of retiring for fear of enemies who had not yet approached to oppoſe him: Douglas no longer enjoyed that unbounded confidence of his King and his fellow-ſubjects, to which, before the murther of Ramſay, his ſervices had well

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well entitled him: To ſuſpect him of cowardice, was indeed impoſſible; but againſt the imputations of treachery, and of unpatriotic ſelfiſhneſs, he could not be equally ſecure. Beſides, the whole army having their imaginations filled more with the thoughts of the ſpoils which they hoped to gain in England, than with the anticipation of any dangers to be there encountered, would have been beyond meaſure diſappointed and enraged by any ſudden order to retreat. They were led onwards into the interior parts of Northumberland. Being muſtered at the abbey of Hexham; their numbers were found to amount to no fewer than two thouſand men in complete armour, with a multitude of irregular and light-armed infantry*.

First attempts defeated.

The Engliſh, in the mean time, had made due preparations to reſiſt ſo formidable an invaſion. Edward was himſelf in France, now purſuing his claims to the French Crown, with ſomewhat better ſucceſs than had attended his firſt attempts. But, his queen Philippa, having the principal charge of the Engliſh government in the abſence of her lord; with great activity muſtered the military vaſſals of the Crown, who reſided in the northern counties; intruſted the command of the

2 force

* Fordun. Lib. XIV. 1. 2:—Froiſſard L. 1:—Winton. VIII:—Walſingham, 167.

force thus raiſed, to the archbiſhop of York, and to Piercy, and Neville, two of the moſt conſiderable barons in thoſe parts; and herſelf, as is ſaid, joining the army, communicated to the leaders and ſoldiers, the inſpiration of all that heroiſm with which ſhe was animated. While the Scots, croſſing the Tyne, urged their way into the biſhoprick of Durham; the Engliſh marched towards Sunderland bridge, in order to ſtop their progreſs. Ere the Scots were aware that an Engliſh army was ſo near, to oppoſe them; a foraging party headed by William Douglas, unexpectedly fell in with the whole Engliſh force, and after a deſperate conflict, loſt five hundred of their number who were ſlain,—with William Douglas, baſtard-brother of the knight of Liddeſdale, and others, who were taken priſoners. The ſurvivors with difficulty eſcaped to the Scottiſh camp; and to the confuſion of their King and fellow-ſoldiers, communicated the firſt tidings, at once of their own diſaſter, and of the numbers and proweſs of the Engliſh. At the news, the Scots indignantly prepared for battle: Their King himſelf aſſuming the command of the central column of his army; while the Earl of Moray and the Knight of Liddeſdale led the right wing; Robert Stewart and the Earl of March, the left. Fluſhed with their firſt ſucceſs, the Engliſh advanced to meet the invaders at Neville's croſs. And in oppoſition to them, the Scottiſh army was quickly drawn out

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on ground which was unluckily interfected with ditches and inclofures*.

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When the two armies were ready to join in battle, John Graham a Scottifh knight, gallantly propofed to his King, that with only an hundred full-armed men, if fo many would follow him upon the hardy enterprize, he would difperfe the whole Engliſh bowmen, whofe attack was the firſt formidable oppofition the Scots had to encounter, in joining battle. Not a man in all the army, thought the propofal fufficiently practicable, or fo moderately dangerous, as to be induced to follow the gallant Graham. Alone, and unattended, he boldly ruſhed forward amid the thickeſt of the Engliſh archers, before they could ſtun or wound him with their arrows; and then riding furiouſly about among them, and wielding his weapons with terrible dexterity and force, laid many dead or wounded upon the earth; till at laſt their arrows which could not pierce his armour, mortally wounded his more defenceleſs horſe; ſo that he with difficulty, made his way back, on foot, into the ranks from which he had ſo heroically advanced. Ere Graham had rejoined his friends, the Engliſh had aſſailed the left wing of the Scottiſh army, which came on, under the command of the Earl of Moray. Attacked,

* Fordun. XIII. 2, 3.

ed, not attacking; on ground which its divided and unequal ſurface made diſadvantageous; and not yet entirely recovered from the ſurprize and confuſion with which they had been ſtruck by the recent defeat of their ſkirmiſhing party: the Scots did not ſkilfully or ſteadily reſiſt the impetuoſity of the aſſault by the Engliſh. Moray was ſlain; Douglas made priſoner; the entire right wing of the Scottiſh army which theſe warriours led, was ſoon thrown into diſorder, driven from its ground, ſcattered in general flight. The center of the Scottiſh army was next to meet the career of the Engliſh. On the flank, it was galled by the archers; in front, it was ſore preſſed by the impetuous onſet of the men at arms. Yet for ſeveral hours, the fortune of the battle hung in ſuſpenſe: David himſelf fought with all the gallantry of a brave young monarch, whoſe life and honour were at ſtake: His barons vied with their King in valour, with one another, in faithful loyalty. They fought in vain. After a long conteſt and prodigious ſlaughter, David himſelf was made priſoner by an Engliſh knight of the name of Copland; whom even while he ſeized him, the Scottiſh King wounded ſeverely in the face; ſtriking out two of Copland's teeth with his iron gauntlet. Seeing the right wing thus broken and ſcattered, the central column almoſt wholly cut in pieces, their King taken priſoner; Stewart and March, who yet remained,

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mained, with the left wing, endeavoured only to effect their retreat with as little loſs as poſſible. Had they ſooner advanced to ſupport the main army fighting under the King, the fortune of the day might perhaps have inclined to the Scottiſh ſide. With difficulty, and with no inconſiderable loſs, they accompliſhed their retreat; but the Engliſh were now too much occupied in ſpoiling the ſlain, and ſecuring their priſoners, to urge the purſuit with eager activity*.

Conſequences of the battle of Durham.

GREAT was the loſs ſuſtained by the Scots in this unfortunate battle of Durham. The Earls of Moray and Strathern, Hay Conſtable, Keith Marſhal, Peebles Chamberlain, and Charteris Chancellor of Scotland, with many barons of eminence, and a multitude of meaner ſoldiers, fell in the engagement. The King himſelf, with the Earls of Fife, Menteith, and Wigton, the Knight of Liddeſdale, and about fifty other barons were made priſoners. The barriers of Scotland, were laid open to the Engliſh, who eagerly haſtened to occupy the ſouthern diſtricts of the kingdom, and again to extend the limits of England to where they had been fixed by the treaty between Edward and Balliol. Balliol who had lately reſided for ſome time upon his patrimonial eſtates in Galloway, at his caſtles of

* Fordun. Froiſſard, Walſingham, ut ſupra, &c.

of Buittle and Kenmore; being now joined by those two eminent Northumbrian barons, Piercy and Neville; made a ſudden expedition into Lothian, to aid the progreſs of the Engliſh in that quarter; and then croſſing the country to the diſtrict of Renfrew, returned back through Ayrſhire into Galloway. In his progreſs, he laid waſte, rather than ſubdued the country; maſſacring the peaſantry, and deſtroying the crops, houſes, and cattle upon the eſtates of thoſe enemies whoſe oppoſition to his tyranny, had the moſt provoked his revenge; but neither winning the caſtles, nor eſtabliſhing his own authority over the country. To the eaſtern and to the weſtern ſea, however, on the one ſide, nearly as far as Ayr, on the other, to the vale of Lothian, the Engliſh, almoſt without oppoſition, extended the authority of their juriſdiction, and the terrour of their arms*.

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* Fordun. XIV. 3:—Buchan. L. IX:—Winton. B. VIII.

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Chapter V.

From the battle of Durham, to the death of David the Second.

Proſpects of the Engliſh.

The unfortunate event of the battle of Durham, and its immediate conſequences, might ſeem at firſt to threaten the total overthrow of the liberties of Scotland, and the final expulſion of the family of Bruce from the Scottiſh throne. If with a force comparatively ſmall, and in the abſence of their King, with the flower of their warriours; the Engliſh could ſo ſucceſsfully prevail over the collected military ſtrength of the whole Scottiſh nation: Would not Edward in perſon aſſoon as he ſhould return from the French war, with his brave ſon, the Prince of Wales, be eaſily able, at laſt to atchieve the final conqueſt of all Scotland?

Reſources of the Scots.

But, misfortunes, ſuch as that of the battle of Durham, were no longer new to the Scots; nor did example repreſent them as irretrievable. Former diſaſters of a ſimilar nature, and no leſs calamitous, had ſtill left Scotland free. To provide for the adminiſtration of the government, during the captivity of their King, the Scottiſh barons immediately appointed his nephew Robert Stewart to the

the Regency of the kingdom. In the ſhire of Wigton and in Carrick, Alan Stewart and John Kennedy ſtill remained in their allegiance to David Bruce, and ſo haraſſed the Galwegian vaſſals and adherents of Balliol, as to reſtrain theſe from lending any conſiderable aid to the Engliſh arms in other quarters. William the ſon of Archibald Douglas, formerly Regent, returning about this time out of France in which he had ſpent his earlier years, and made his firſt eſſays in arms; began to diſtinguiſh himſelf by eminent proofs of that valour and patriotic activity which had already conferred the moſt illuſtrious ſplendour on the name of Douglas; quickly expelled the Engliſh from Douglaſdale; made himſelf maſter of Ettrick-foreſt; and defeating Copland governor of Roxburgh, who ſtrove to defend Teviotdale againſt his incurſions; reſcued this diſtrict likewiſe, from the poſſeſſion of the invaders. Succeſſes ſo conſiderable revived the courage and loyalty of the Scots; and the young heir to the earldom of Douglas, appeared not unworthy to ſupply to his country all thoſe gallant offices which might have been expected from the Knight of Liddeſdale, had he not been abſent in captivity*.

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In the mean time, the King of England was proſecuting abroad his wars againſt France, with riſing

* Fordun. XIV. 6, &c.

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English affairs on the continent.

ing ſucceſs. From Guienne, the firſt object of his expeditions, he had more lately been induced to transfer his invaſion rather againſt Normandy. The change was ſo fortunate, that he ſoon overran the whole province; took Caen, its moſt opulent town; and ſpread general alarm and diſmay to the very gates of Paris. Philip, the French King, aſſembling an army of more than an hundred thouſand men, advanced at their head to give battle to the far inferior force of the invaders: And had it not been for a very adventurous paſſage at a ford of the river Somme, when the French had nearly encompaſſed and hemmed him in within difficulties from which eſcape would have been impracticable; Edward and his whole army muſt have become the captives of their enemies, or have periſhed, all, in deſperate, unavailing fight. Having, however, thus broken through the toils in which they had been nearly caught, the Engliſh immediately choſe a favourable poſition on a gentle aſcent in the fields of Crecy; awaited the attack of the French; and by the ſuperiority of diſcipline, heroic valour, and maſterly generalſhip over imprudence, diſorder, and folly vainly anticipating in imagination what it could not atchieve; obtained, after a long and obſtinate conflict, one of the moſt deciſive victories that have ever been won, over more than three times their own number of Frenchmen. Thus greatly victorious, the

Battle of Creey.

Engliſh

Engliſh monarch, next proceeded to lay ſiege to the ſtrong ſea-port-town of Calais. For near twelve months, the townſmen and the garriſon held bravely out againſt all his aſſaults. At laſt, however, their numbers were ſo greatly thinned, and they were ſo ſorely pinched by famine; that the place was neceſſarily ſurrendered to the beſiegers, in whoſe hands it became an important key by which they might at any time make an hoſtile entrance into the territories of France. In Guienne, ſimilar ſucceſſes now alſo crowned the Engliſh arms. Such a ſeries of diſaſters, at the ſame time while the arms of their Scottiſh allies were in Britain alike unfortunate, made the French eagerly accept a truce, which was mediated by the Pope's legates between them and their too potent foes. The Scots, as allies of France, were comprehended in the treaty of truce*.

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IT was amid the career of his perils and victories in France, that Edward received the news of the defeat of the Scots at Durham, and of the captivity of David Bruce and many of his nobles. The royal captive and his companions were carefully guarded, but not unkindly treated. Only, the Earls of Fife and Menteith who had formerly ſworn allegiance to Edward, were now regarded not

* Froiſſard Lib. I. &c.

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A. D. 1346. Negotiations for peace.

not as captive enemies, but as traitors; were brought to trial, condemned to death, and the Earl of Menteith beheaded. During the truce, the Scottiſh queen, ſiſter to Edward, was permitted to viſit her huſband in his confinement; and negotiations for the ranſoming of the captive King were commenced. A peſtilence which ſpread from the torrid climates of Aſia over all Europe; cutting off about a third part of the inhabitants of Scotland and England; thus tended perhaps to alleviate the mutually exaſperated and inveterate rage of the two nations; diſpoſing them to continue in the peaceable obſervance of the truce, and even to ſeek means of conciliating one another's affections in a perpetual peace. The death of the King of France calling Edward's ambitious cares once more to the continent; made him willing in the mean time, ſo to ſettle the affairs of Scotland, that the Scots might not be provoked again to invade and haraſs England in his intended abſence. Jane, his ſiſter too, might have ſome influence with her brother and his ſons, ſo as to perſuade them rather to grant eaſy terms of peace and liberty to her lord, than to detain him in perpetual confinement, or to haraſs his kingdom to utter ruin. Nor is it improbable that Edward, the wiſeſt and moſt politic monarch of the age, might now diſcern the impoſſibility of finally ſubjugating the Scots; and might therefore be deſirous to have

thoſe

thoſe for friends, rather than enemies, whom he could never reduce to be his ſlaves. However theſe things might be; the Scots were ſoon led to hope, in the progreſs of their negotiations for the deliverance of their King; that they might obtain a peace on conditions by which the pretenſions of Balliol, ſhould be wholly relinquiſhed on the part of England, and David Bruce reſtored to reign without a rival on the throne of his fathers*. A. D. 1348.

Progreſs of Scottiſh and Engliſh affairs.

YET, ere this negotiation could be perfected, new tranſactions were engaged in, and new events took place, on the continent, as well as in Britain, which had a tendency to influence the political relations between the Scots and the Engliſh. The French war, renewed with John the ſon of Philip, did not at firſt promiſe an happy iſſue to the Engliſh; but at length in the famous battle of Poictiers, made the French King a priſoner to the prince of Wales, and brought him to meet David Bruce in captivity at London. In Scotland, all thoſe diſorders reigned, which might be naturally expected to ariſe in a fierce, lawleſs, and barbarous age, in an uncivilized country, and at a period when the royal authority could not be vigorouſly maintained, and when almoſt every man enjoyed an uncontrouled licence of doing what ſeemed good in his own

* Fœdera T. V. 618, &c.

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own eyes. David Bruce, in his impatience to be reſtored to his own country, began to diſcover ſomething of a diſpoſition to yield to the Engliſh all that they had exacted from Balliol: Balliol ceaſing to be neceſſary or uſeful to promote the deſigns of the Engliſh King, was ſlighted and neglected by him, and was at length perſuaded to reſign into Edward's hands, all his pretenſions to the ſovereignty of Scotland. The captive Knight of Liddeſdale, was entangled in a new and equivocal treaty with the Engliſh monarch, in which, for the recovery of his liberty, he was induced to devote himſelf ſo wholly to the ſervice of England, that all his former deſervings from his country, might well appear to be cancelled by the fickle treachery of this laſt act. At home, Stewart and the barons who were about him, ſtrove now to ſtrengthen themſelves in the government, probably not more againſt the Engliſh, than againſt their own King, and the barons who were abſent in captivity with him. However indifferent *they* might be as to *the* deliverance of their monarch; yet the wiſhes of the *nation* could not be long withſtood. A treaty for the ranſom of David Bruce, was at laſt concluded at Newcaſtle, on the thirteenth day of July, in the year one thouſand three hundred and fifty-four. The ranſom fixed, was ninety thouſand merks Sterling, to be paid within nine years, in the proportion of ten thouſand merks for each

year. Until the final payment of this whole sum, it was agreed that there should be peace between Scotland and England; comprehending in its advantages, all the Allies of the latter country. Twenty young Scottish noblemen were to be delivered into the hands of the English, as securities for the payment of the ransom, and the observance of the truce; and for both, all that was honourable and important among the nobles, the clergy, and the commons of Scotland, were to become bound, in conjunction with their King. But, the intrigues of France prevented this treaty from taking effect*. A. D. 1350.

Liberation of William Douglas.

BEFORE David Bruce could obtain liberation from his captivity, the knight of Liddesdale had been released, and had returned home. During his absence, however, still retaining that ferocious and savage spirit which so cruelly cut off the gallant Ramsay; he had, in revenge for the murther of his brother Sir John Douglas, procured the assassination of Sir David Berkley, by whom that murther had been perpetrated. This new assassination committed at Douglas's command, even while he was himself a captive in a foreign kingdom, greatly contributed to alienate from him with still rising abhorrence, the minds of his countrymen at home, by whom he had been once admired as a

* Fœdera V. 686. 699. 700. 711. 722. 727. 727. 793, &c.

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patriot and a hero. He came now to be regarded as a monſter capable of every odious crime, of perfidy to his country, and of thoſe atrocious acts of guilt in private life, which changed the generous and gallant knight into a fiend, the enemy of the human kind. There had, beſides, ariſen, during his captivity, new political parties in Scotland who were unwilling to admit the knight of Liddeſdale, whoſe abilities they dreaded, of whoſe faith they were now ſuſpicious,—to that pre-eminent influence in the government which he had before enjoyed; and concerning which it was not likely that he would ſit quietly down, without graſping at it once more. Revenge, abhorrence, fear, and political craft thus conſpired the deſtruction of William Douglas, aſſoon as he returned from captivity. Nor had he been long at home, when as he was hunting in the foreſt of Ettrick, his kinſman and godſon, William the heir to the earldom of Douglas, waylaid and cut him off, by an act of perfidy not unlike to thoſe by which his own character had been too often ſtained. He was a brave warriour, whoſe character, fierce, intrepid, ambitious, fickle, vengeful, may be eſteemed a ſtriking example of the manners and ſpirit generally prevalent in the age in which he lived. While force was every thing, while law was nothing, when education and the arts of peace did not conſpire to mitigate the paſſions, and to poliſh the character; it was impoſſible

impoſſible, that there ſhould not be in ſociety, many ſuch men as the knight of Liddeſdale*.

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The negotiations for David's deliverance broken off.

ABOUT the ſame period, David ſhould have arrived once more in his kingdom and native country. His ſubjects had undertaken to pay for his liberty, a ranſom which, in the ravaged ſtate of their country, could not but be enormouſly burthenſome; and his barons had engaged to ſtake for its payment, the deareſt pledges they had to give. But the treaty was for a while fruſtrated. Nor would David have been now received with the ſame fond congratulations as had formerly awaited him at his return from France. His Queen was barren; and Robert Stewart, his nephew, but elder than he, having begun to look forward to the inheritance of the Crown, was impreſſed with ſuſpicions that David might perhaps be won to lend himſelf to Engliſh intrigue, in a manner injurious to the hopes and intereſts of Stewart. Between England and France, the war was ſtill prolonged; and the French King now ſent an ambaſſador into Scotland with a ſmall body of ſoldiers, and a conſiderable ſum of money, for the purpoſe of inſtigating the Scots once more to take arms againſt the Engliſh, and to aid them in their military enterprizes. The friendſhip and the money of France,

* Fœdera V. 738:—Fordun. XIV. 8, &c.

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A. D. 1355.

France, had greater weight with the Scottiſh barons, than the ſanctity of the truce, to which they had agreed, the care of delivering their King, or any advantages which might be derived from laſting amity with England. They were eager to take up arms; and David, whatever his wiſhes for liberty, could not, while abſent, reſiſt the general impulſe*.

Succeſsful rencounter with the Engliſh at Neſbit.

War was therefore renewed. Galloway and Nithſdale were recovered out of the hands of the Engliſh. In the ſouthern parts alone, of Scotland; did they retain any of thoſe lands and caſtles which had been ceded to them by Balliol, or taken by their arms. The firſt expedition undertaken in violation of the truce, and at the inſtigation of Garencieres, the ambaſſador of France, was led by William the ſucceſſor of Alexander Ramſay, in obedience to the commands of the earl of March, the warden of the eaſtern border, againſt Norham in Northumberland, to deſtroy that place, and depopulate the adjacent territory. Ramſay burnt the village, and laid waſte the country. But perceiving that, agreeably to their hopes, Thomas Grey, governor of Norham-caſtle, ſallied out at the head of his garriſon, to attack and chaſe away the ſpoilers; the Scots, in ſeeming terrour, ſpeedily fled. Not aware of any ſtratagem in the deſign of their flight, the Engliſh furiouſly purſued.

* Fordun. XIV. 9.

purſued. At Neſbit in the Merſe, the Scots having now led the purſuers into a deſtined ſnare, turned and met their attack: For March and Garencieres were here with a troop to ſupport the company of Ramſay. The Engliſh, although thus enſnared and ſurprized, yet ſcorned to flee; a deſperate conflict followed. Grey making his horſemen diſmount, led them to fight on foot, where their horſes would have been uſeleſs. On both ſides, illuſtrious valour was diſplayed; blood was prodigally ſpilt; a number of warriours fell; and among others, on the ſide of the Scots, Sir John Haliburton who had often diſtinguiſhed himſelf by inveterate animoſity, and bold valour againſt the Engliſh. Grey himſelf, with others of his followers, were at laſt taken priſoners. Of his company, but few made their eſcape. The priſoners were honourably treated; for the Scots could not help admiring that valour which, in ſuch circumſtances, they had found it ſo hard to conquer*. A. D. 1355.

Capture of Berwick by the Scots.

HOSTILITIES being thus renewed, with a degree of ſucceſs which naturally encouraged farther hopes; the Scots with indefatigable activity purſued this firſt blow which they had ſtruck. Berwick was the next object of their attempts. Stewart earl of Angus, aſſembling a fleet of ſmall veſſels,

* Fordun. XIV. 9:—*Scala Chronica* apud Leland, I. 456.

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A. D. 1355.

ſels, manned them with a conſiderable number of troops, and in concert with the earl of March, ſailing unexpectedly by night into the harbour of Berwick, landed unperceived, and reſted till day-break before the walls of the town. By the dawn of day, they had fixed their ſcaling-ladders; aſcending the walls, had maſtered the oppoſition of the watchmen; and ere theſe could ſpread the alarm, had entered the town in conſiderable force. The Engliſh who were in the town then took refuge in the caſtle; and the Scots remained maſters of the place. No ſooner was this event known among the Engliſh inhabitants of the ſurrounding diſtrict, than they ſought aſſiſtance from John Copland who commanded for their King, on the eaſtern marches; and came with him to reinforce the garriſon in the caſtle, in hopes of yet recovering Berwick. A fort called Douglas-tower afforded yet a free communication between the caſtle and the town. From it, Copland attempted to break out and overpower the Scots. They were prepared to reſiſt his ſally, repulſed him with vigour, and even won the tower, but in vain attempted to make themſelves maſters of the caſtle. After this ſervice, the French auxiliaries who had eminently aſſiſted in the capture of Berwick, being honourably diſmiſſed, left Scotland, and returned to France*.

But,

* Fordun. XIV. 10.

A. D. 1356. Edward the Third again invades Scotland.

BUT, King Edward was now in England; and he thought the progreſs of the Scots too formidable, not to be immediately checked by himſelf in perſon. Ere the Scots could ſufficiently ſtrengthen the fortifications of the town of Berwick, he appeared before its walls. Unable to make effectual reſiſtance, thoſe within the town quickly agreed to a capitulation, by which they were allowed to depart in ſafety with all their goods. From Berwick, Edward advanced to Roxburgh, where he received Balliol's ſurrender of all his rights and pretenſions to the ſovereignty of Scotland. Vain hopes of the general ſubmiſſion of the Scottiſh barons, detained the invader for ſome days longer of fruitleſs delay at Roxburgh. When he advanced onward with his forces into Eaſt Lothian, he found the country waſted before him, and deſtitute of every thing that could ſerve for ſuſtenance to his troops. A fleet with ſtores and proviſions had coaſted along by ſea, in attendance upon his army marching on land. But, a ſtorm ariſing, ſcattered and wrecked his ſhips. His army began to ſuffer all the miſeries of famine: The Scots prudently avoided encountering him in any pitched battle, yet continually haraſſed his troops by coming upon them in ſkirmiſhing, flying parties: Infuriated by diſappointment and perplexing diſtreſs, he commanded to raze the country to utter deſolation, without ſparing even thoſe edifices which were ſacred

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cred to the purpoſes of religion: And after this impotent expreſſion of his rage, was compelled to turn his march backwards to England. While the Engliſh army retreated, Lord Douglas attacking ſome part of them ſuddenly in Ettrick-foreſt, made great ſlaughter among theſe ſpoilers, and turned their retreat, for a time, into all the diſorder of fearful flight. One of Edward's laſt acts relative to Scotland, as he returned from this invaſion, was, the emiſſion of a proclamation by which he declared his reſolution to maintain, inviolate, all the ancient laws and uſages of that kingdom: A declaration by which he might hope either to conciliate the good-will of that part of the Scottiſh nation who were faithfully attached to the liberties of their country, although little concerned as to the pretenſions of Bruce or of Balliol; or might mean merely to ſoothe his own mortified feelings, and to hide, for as much as was poſſible, the diſgrace of his arms from his ſubjects in England, and from his enemies abroad.

Engliſh affairs on the continent.

Edward's attention was again withdrawn to the more glorious field which France preſented for his ambition. Again deſirous to leave England quiet at its northern confine, he profeſſed a willingneſs to renew the interrupted negotiations for

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* Winton. Book VIII:—Fordun, ut ſupra; Fœdera Vol. V.

the deliverance of the Scottiſh monarch, and the dereliction of all the claims of the Engliſh Crown to the ſupreme dominion over Scotland. A truce was concluded: And the negotiations were renewed. Meanwhile, the Engliſh were purſuing their conqueſts in France with heroic valour, with great military ſkill, often raſhly, and often through the moſt threatening dangers. Of the Scottiſh warriours, Lord Douglas and ſome others impatient of the inactivity of the truce which for a time, withheld them from military enterprizes at home; went abroad to oppoſe the Engliſh in France, and fought in the battle of Poictiers, with an unavailing heroiſm which could not prevent the triumph of the Engliſh, nor the ruin of the greateſt army with which the French monarchy could at that time oppoſe the invaders. It was after this battle that the Engliſh King ſaw himſelf maſter at once of the perſons of the two Kings of Scotland and France. The negotiations for the liberation of the Scottiſh monarch ſtill proceeded, and at laſt were happily cloſed; notwithſtanding the intervention of ſome caſual and petty hoſtilities on the part of the Scots, which were overlooked, or but ſlightly reſented by Edward. It might have been expected that Edward ſeeing himſelf now triumphant over all his enemies, and exalted to a pitch of glory above what any former Engliſh monarch of his family, had obtained, ſhould have reſumed the idea

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of conquering Scotland, and ſhould have attempted to over-run it by another expedition. But, age and the viciſſitudes of a fortune which although often proſperous, had been likewiſe often adverſe; ſeem to have before this period mellowed his ambition. His knowledge of the temper of the Scots, made him hopeleſs of ſubduing them: Or affection for his ſiſter, and the aſcendency which he had acquired over the mind of David, made him at once unwilling to ruin the fortunes of his brother-in-law, and hopeful of accompliſhing his purpoſes by gentler and more politic means.

Liberation of David Bruce.

The negotiations for the deliverance of David, reſtored him to his country, in the month of October in the year one thouſand three hundred and fifty-ſeven. But, the conditions now exacted from the Scots were more ſevere than thoſe which had been ſtipulated in the former treaty. A ranſom of an hundred thouſand merks was required for the liberation of their King, and was to be paid in inſtalments of ten thouſand merks a year. Hoſtages were delivered into the hands of the Engliſh as ſecurities for the faithful payment of the ſtipulated ranſom; and the Scottiſh Parliament gave their ſanction to the treaty by which thoſe conditions were mutually agreed to*.

David

* Fordun. XIV. 13:—Winton. Book VIII:—Knyghton 2611, &c:—Fœdera, V. 46.

A. D. 1357.

David returns home but soon revisits England.

David was now releaſed from impriſonment. But, his heart was alienated from the manners and modes of life, which prevailed in his native land: His ſubjects now little accuſtomed to ſee him fight at their head, as his father had done, had in a great meaſure transferred their attachment from him to Stewart and the other barons by whom his power was adminiſtered in his abſence. He had not long lived at freedom in his own kingdom, when he ſought Edward's permiſſion to reviſit England; and ſpent again in the pleaſures which that country afforded, nearly a year, which might have been more wiſely and uſefully employed in redreſſing the grievances of his people, and re-eſtabliſhing the authority of his government*.

The Scots deſirous to renew the war with England.

The Scots began, in the mean time, to feel the ranſom which they had ſtipulated to pay for the liberty of their King, as if it had been the weight of a millſtone tied about their necks. They would have refuſed the payment of it, and would have indignantly violated the truce; but their hoſtages were in the hands of the Engliſh. Even that freedom from being farther haraſſed by the pretenſions of Balliol which this truce ſeemed at laſt to ſecure to them, was but uncertain and ſuſpected; ſince they began to look upon David Bruce as almoſt as much Engliſh

* Fœdera VI. 39. 46: VI. 68. 89.

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liſh in his heart, as the Balliols had been. There was a party, at the head of which were Stewart and Douglas, who were ſtill attached to the intereſts of France, in preference to thoſe of England, and with whom a great majority of the nation were inclined to take part. In thoſe difficulties therefore which aroſe from the inability of the Scots to make ſpeedy payment of the ranſom of their King; they had recourſe to the friendſhip of France for aid. The war between France and England, was ſtill prolonged: And the Scots eagerly offered to renew on their part, the war with England, if the French nation would firſt ſupply them with money for the payment of their King's ranſom, and the recovery of their hoſtages. But, the King of France was himſelf ſtill a priſoner in England; and his ſon, the Dauphin, with the nobles who aided him in the adminiſtration of the government, during his father's unfortunate abſence; made anſwer that they could not, at this ſeaſon, conveniently ſupply ſo large a ſum as was aſked; gently blamed their ancient Allies for neglecting to include France in their truce with England; and contented themſelves with encouraging the Scots by general promiſes of ſubſidy and aid to be granted them, as circumſtances might allow, if they would break through all their engagements with England. Both the French and the Scots, however, were cordially inclined to embrace the

propoſals mutually made between them, ſo far as their reſpective intereſts would permit. The French agreed to pay fifty thouſand merks ſterling for the diſcharge of the ranſom of David Bruce: The Scots accepting this ſubſidy, engaged to renew hoſtilities againſt England.—A peace was, however, not long after concluded between France and England, by the conditions of which the French monarch abandoned all alliance with the Scots; while the Engliſh King, in return, renounced his connexions with the inhabitants of Flanders*. A. D. 1360.

Weakneſs of David's authority at home.

These tranſactions ſerved to indicate, what a rancorous ſpirit of hoſtility againſt England, ſtill reigned among the Scots: and the diſpoſition which the Scots had ſhewn to renew the war, might perhaps enable the French to procure more favourable conditions of peace from the Engliſh, than would otherwiſe have been granted them: But no infraction of the truce with England followed. David Bruce had returned from his viſit of fond recollection to the land of his late captivity; and now lived as a ſovereign among his own ſubjects; little eſteemed, indeed, or beloved by them, and without any ardent confidence in their kindneſs or loyalty. An incident of no great magnitude occurred to ſhew the power and barbarous reſentments of his

* Fordun. XIV. 21; &c.

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his nobility, and to convince them, that a King, powerful by the mere authority of his royal office, was but weak before them. Catherine Mortimer a favourite miſtreſs of David's, whoſe amorous attachments were not excluſively confined to his queen; had accompanied him from England. In Scotland ſhe continued to engroſs his affections, and almoſt to ſhare his power. By the nobles of his Court, ſhe was hated, as a ſtranger, an Engliſhwoman, an adulterous uſurper of the bed of their Queen, and a rival who intercepted that favour with the monarch which ſome of his courtiers might have hoped to enjoy. Her murther was treacherouſly reſolved upon. While the King was abſent from the place of her reſidence, two ruffians were ſent to her, as from him, and as they pretended, of purpoſe to conduct her to him. She believed their meſſage, and committed herſelf to their guidance. On the dreary, ſolitary way between Melroſe and Soltra, they perpetrated the murther which they had undertaken, and left her a lifeleſs corpſe. David, ſoon informed of the murther of his beloved miſtreſs, honourably interred her body in the chapel of the monaſtery of New-Battle. Stewart earl of Angus, ſuſpected as having contrived the murther, and hired the aſſaſſins, was impriſoned in the caſtle of Dunbarton, where he, not long after, died of the plague*.

The

* Fordun. XIV. 24:—*Scala Chronica, apud Leland.* I. 978.

The plague now again breaking out in Scotland, after so many calamities of war, famine, and a former pestilence; cut off no fewer than a third part of the surviving inhabitants, and among these, many persons of rank. Fleeing its fury, and at the same time, providing for the careful distribution of justice throughout the kingdom, David Bruce with the nobles attending in his Court, retired to the northern counties of Scotland. By some act of rebellion, perhaps by correspondence with his sovereign's enemies, perhaps by some sudden sally of passionate outrage against the royal authority, the earl of Marre having provoked the King's wrath, was besieged in his castle of Kildrummy, made prisoner, and sent in exile out of the kingdom. It was not long after these incidents, that David received from England the news of the death of Jane, his Queen, who had some time before, retired thither, probably in discontent with her husband, and had remained with her brother and other relations, till the term of her life, was now over. She brought David no children; but she appears to have been to him a dutiful and faithful wife. She became the play-mate even of his infancy: Of all his calamities she was the companion. Her barrenness, however, perhaps the homeliness of her form, or her beauty withered or grown familiar to him, might contribute to estrange him from her bed: And it is not likely that she would with patience endure those

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Death of Queen Jane.

infidelities

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infidelities of gallantry to which David's temperament and character appear to have inclined him*.

A. D. 1362.

David endeavours to alter the ſucceſſion to the Crown.

David, childleſs, and perhaps hopeleſs now of having children; jealous of his potent nephew, Robert Stewart; and perhaps bound by ſome ſecret engagements in which he might have been at one time or another, entangled by the politic Edward; propoſed to his nobles in a Parliament, which was aſſembled at Scone, not long after the death of his Queen; that, in the event of his own deceaſe without iſſue; they ſhould chuſe for his ſucceſſor, the Duke of Clarence, or at leſt another of the ſons of Edward the Third. As a powerful inducement to perſuade them to agree to this deſtination of the Crown, he repreſented that Edward would, in this caſe, renounce all his pretenſions to the ſovereignty of Scotland, that Clarence would be able to aſſert the independency of the nation, and that happy peace and proſperity would be the neceſſary reſults of ſo wiſe a meaſure†.

Such a propoſition was heard with ſcorn and rage. Robert Stewart had been formerly acknowledged to be, after David Bruce and his deſcendents, the next heir to the Crown. His family, his

* Walſingham, 179, &c.

† Fordun. XIV. 25.

his friends, his vaſſals were numerous and powerful. Strong alſo was that inveterate and rancorous hoſtility of ſentiment which ſuch long wars had naturally generated in the minds of the Scots, againſt the Engliſh. The Scottiſh barons in general abhorred every idea of ſubmitting to the government of an Engliſh prince. They appealed to thoſe acts of the Parliaments of Robert Bruce, by which the order of the ſucceſſion, had been finally ſettled: They vowed that no Engliſhman ſhould ever reign over them: They declared their reſpect for the abilities and virtues of Stewart and his ſons, as not unworthy of a throne. Not content with obliging David to deſiſt from his purpoſe, and ſtill fearful of what the King ſupported by the ſtrength of England, might accompliſh againſt their national liberties; they entered into aſſociations for the ſupport of Stewart's rights, and for the maintenance and mutual protection of one another in the meaſures which they had concerted. Stewart particularly, aſſociated himſelf by formal deeds, for this purpoſe, with the earls of March and Douglas, and even with his own ſons. Thus combined, they were ready to ſet their King at defiance, however he might be aided by the power of England. They took up that lofty language in which the barons of thoſe days were often accuſtomed to talk to their ſovereigns; and ſpoke of forcing David Bruce publicly to diſclaim the illegal propoſition

A. D. 1363. Oppoſition of Stewart and his party to the deſigns of David Bruce.

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A. D. 1363.

which he had made, or even of driving him from his dominions. From aſſociation, from threats, they proceeded to take up arms, ſeized the perſons whom they ſuppoſed friendly to the King's deſigns, plundered their eſtates, and divided the ſpoils, as if they had been taken from a foreign enemy*.

David repreſſes the rebellion of his nephew.

But, David had not yet ſo entirely forfeited the affection and allegiance of all his ſubjects, as to be altogether deſerted by them, amidſt his preſent difficulties. The wealth and the influence of England, were ready to be employed for his ſupport, and for the accompliſhment of thoſe meaſures of policy in which he had engaged. Although his premature acceſſion to the throne, and his eſtrangement by exile and captivity, from the manners of his native country, had hitherto prevented him from diſtinguiſhing himſelf as a monarch great in the arts of either war or peace, and had perhaps given his character a bias to indolence and other habits, inconſiſtent with exalted ability as a warriour or a ſtateſman; yet, was he not deſtitute of perſonal courage, nor incapable of being rouſed to vigorous exertion upon extraordinary emergencies. To oppoſe Stewart and the rebellious barons, he now ſummoned all thoſe of his ſubjects who ſtill remained ſtedfaſt in their loyalty. They haſtened, eager, to protect

* Fordun. L. XIV. C. 25, 26, 27:—J. Major. L. V. C. 23:—H. Boeth. L. XV. ſub fine, Fo. 340:—Buchanan. L. IX:—Winton. B. VIII:—Leſl. Res Geſtæ, L. VII. p. 243.

protect their King. The money of England was not withheld; and was largely expended by David in the raising, equipment, and support of his troops. Within a very short time, the King saw himself at the head of an army so strong and so faithfully loyal, that Stewart and his adherents durst not meet him in the field. Disappointed in their hope perhaps of reducing their King to their own terms, without the necessity of striking a blow in direct war against him; and astonished to see so great a majority of the nation averse from their bold counsels; the insurgents began to be divided among themselves, to waver in their purpose, to hesitate between desperate daring and timid submission. Their numbers melted away; their union was dissolved; they at last sought, all, their safety in the mercy of their offended sovereign. David had sufficient wisdom to discern, that the part of mercy was the most prudent which he could in these circumstances act. If driven to despair, the insurgents might yet become more formidable than they now were. Nor could it be, in any case, for his interest to prosecute a civil war which might lay both himself and his opponents at the mercy of the English. Stewart and his accomplices obtained their pardon, on condition of renewing their oaths of allegiance, renouncing that association inconsistent with their duty to their sovereign, in which they had combined, and vowing never more

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to enter into any ſimilar confederacies. Againſt Stewart himſelf, it was with his own conſent denounced, that, if he ſhould afterwards riſe in any ſuch rebellion, he ſhould by that act forfeit all his rights to the ſucceſſion to the Crown, ſhould forfeit even his private eſtates and all the inheritance of his family, ſhould be branded with indelible infamy, as a falſe and perjured traitor. And ſuch was the end of a riſing rebellion which had almoſt threatened to hurl David from his throne*.

David revifits England.

Scotland was no longer dear to David's heart. Here he had around him none but turbulent barons, whom, although neither gratitude nor policy would permit him to cut them off, yet he could not love, becauſe he could not retain them within the bounds of a ſubject's duty. In England, he had ſpent in captivity thoſe years of his opening manhood in which are uſually formed habits whether of activity or of enjoyment, which are never to be ſhaken off, during future life. Although a captive, he had been treated with no harſhneſs, except that alone which he could not but feel in reſtraint from returning home at pleaſure. In his preſent ſituation, oppreſſed by the cares of actual royalty, and ſick of the paſſions and diſguſts which he had continually to encounter among the fierce and reſtleſs nobles of his Court; he often longed for

* Fordun. L. XIV. C. 25, 26, 27, &c.

for that quiet and indolent luxury which he had enjoyed, while a captive. Soon after humbling his aſpiring nephew, and bringing him back to his duty, David repaired to England, and was gladly and honourably received at the Court of Edward. The kindneſs of the reception he met, and his own averſion to his nephew Stewart, ſoon diſpoſed him to enter into new and ſecret negotiations with the Engliſh monarch; negotiations altogether unworthy of the ſon of Robert Bruce, of a King of Scotland, even of a man who had once afforded ſo much better hopes of his character, as David had done*.

A. D. 1363.

Secret negotiations with England.

Of theſe negociations the main purport was, that, in the event of the death of the King of the Scots without male iſſue; the King then reigning in England, ſhould ſucceed on the Scottiſh throne; that if the Scottiſh nation would agree to this primary condition, then would the King of England, without delay, deliver up to the Scots all towns, territories, and caſtles, ſuch as thoſe of Roxburgh, Jedburgh, and Lochmaben, which, although now in the hands of the Engliſh, properly belonged to the dominions of the Scottiſh crown; that the remainder of the ranſom due for the Scottiſh King ſhould, upon the ſame fundamental condition, be held

* Fœdera VI. 426, 427.

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held to be discharged without the exaction of farther payment, the hostages set at liberty, and the written obligations cancelled; that the King of England should, without disturbing the Scottish barons in the possession of their present estates, make satisfaction, himself, out of his own lands and treasures, to all such of his subjects and adherents, as had claims to estates in Scotland, which the Brucian party refused to admit,—to the earl of Athole, the Lords Beaumont, Piercy, Ferrars, and others; that the King of Scotland himself should also be put in immediate possession of almost all the lands which his ancestors, Kings of Scotland, had held in England, and should perform for them the homage which those ancestors had performed; that, succeeding to the immediate sovereignty of Scotland, the Kings of England should still govern the new dominions as a distinct kingdom, independent of England, and should assume the denomination of *Kings of Scotland and England;* that all the ancient laws of Scotland, the constitution and liberties of its church and state, its magistracies, civil and military dignities, and forms of administration, should, in this case, be still religiously maintained, inviolate, as they existed under its ancient kings; that no grants which might have been made by David or any of his successors, should be revoked by any English king succeeding to him in the government of Scotland; that Scots alone should be

be always employed in the offices of the Scottish government; that the dominions of Scotland should never be alienated by any English monarch; that the interests of merchants, barons, and ecclesiastics belonging to Scotland, should be as sacredly guarded from oppression or rapacious violation, as if no coalition with England had taken place; finally, that the advice of the English King's council, and the consent of the Scottish nation, should be required in order to the final ratification of this treaty*. A. D. 1363.

Reflections on this negotiation.

This was the result of the negotiations which were, at this time, secretly carried on between the King of Scotland and the English monarch, while the former was, for a time, voluntarily resident at the latter's Court. It was but the scheme of a projected treaty, which circumstances rendered it then necessary to keep profoundly secret, and which was never to be finally ratified, or carried into execution. For Edward, fully aware of all the advantages which England would derive from an union with Scotland, it was natural still to pursue that favourite plan of policy which his forefathers and he himself had so long fondly cherished, and which, although for ever baffled in all their attempts to accomplish it, the Kings of England could not, however, be persuaded to relinquish. And whether it were weakness, timidity, or resentment that led

* Fœdera VI. 426, 427.

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led David to engage in ſuch a negotiation; perhaps in the circumſtances in which he and the nation over which he reigned, then ſtood, no other conduct could have been in its effects equally beneficial to them. It was neceſſary to temporize with Edward now at the height of his power, in order to prevent him from embroiling the affairs of Scotland by intrigues with ſubjects, and from again letting looſe upon it, all the furies of invaſion and war. Childleſs as David was, and beſet by the potent family of the Stewarts eagerly graſping at the ſucceſſion to the Crown; it became neceſſary for him to conciliate to himſelf the favour of the Engliſh faction, and the friendſhip of England, in order to his protection and ſupport againſt the turbulence of a great party of his own, and the ambition of the members of his own Houſe. The ableſt policy could not well have ſuggeſted different meaſures in the ſame circumſtances: Yet, it might be narrowneſs, not enlargement and perſpicacity of mind, that guided David.—Whatever the ſeeming utilities of the policy by which he was engaged in thoſe negotiations; it was, however, undeniably an act of treaſon againſt the Scottiſh nation, becauſe its tendency was to overthrow the fundamental principles of the Conſtitution of their State. Hardly could the King and Parliament acting in unanimous concert, have been juſtified in ſacrificing that national independence for which their fathers

fathers had so long fought and bled. A negotiation by the King alone for the purpose of surrendering this independence, was an act by which he might have been justly accounted to have forfeited his Crown, if the negotiation had become public. Was it not easy to see, that after availing themselves of any apparently extravagant concessions which they might be persuaded to grant, as a bait, a net, to bring the Scots within their power, and to fix them in servitude; the English monarchs would soon find pretences for violating their engagements, and for retracting whatever should appear to have been too prodigally yielded to their ancient foes? Fortunately for David, these negotiations were never revealed to his subjects in Scotland; and therefore served to assure him of the favour and support of Edward, but without irritating anew against him the Stewarts and the other Scottish barons.

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David marries Margaret Logie.

After his return to Scotland, the secret treaty with England, was necessarily abandoned as being impossible to be carried into execution. David yet flattering himself with the hopes of offspring, was then induced to take in marriage, Margaret Logie, a young woman of singular beauty, the daughter of a knight named John Logie. But, the party of the Stewarts being adverse to this marriage, had ill offices done to them by the new Queen, in conse-

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quence of which they were incited to employ ſome diſcreditable artifices for the purpoſe of producing a variance, to divide her from the King. Their artifices ſucceeded. She had not been above a year the wife of David, when ſuch diſſenſion began to ariſe between the royal pair, as threatened a diſſolution of their mutual union. Yet, they continued to live on together for ſome years, till, at laſt David applied to his clergy for a divorce from this wife of his choice. The marriage had brought no children, to diſappoint the expectation of the Stewarts, and inherit the Crown. It is therefore, probable, that in a country where at this time, ſtate-neceſſity was held to be the ſupreme law, little leſs in eccleſiaſtical than in civil affairs; the divorce which David ſought, might have been obtained from his clergy. But, Margaret carried her cauſe by appeal before the Papal Court of Avignon. The Pope appears to have declared in her favour: But the determination of the affair was protracted, till the death of David anticipated its judicial iſſue. The rupture, however, and the proſecution for the divorce, ſufficiently anſwered the purpoſes of the Stewarts. Robert and his three ſons were upon her diſgrace releaſed from the confinement into which they had been, ſome time before thrown at her inſtigation*.

In

* Fordun. XIV. 28:—*Scala Chronica, apud Leland.* I. 579:—Fœdera VI:—Margaret, while abroad, had contracted conſiderable

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IN the mean time, no new wars had broken out between the Scots and the Engliſh. The French, whoſe affairs were no longer in a flouriſhing condition, could not offer to the Scots any rewards for the violation of their truce with England, which might be adequate to compenſate the evils which renewed war would bring upon their country. David had ever ſince his captivity, been at heart more friendly to the Engliſh than to the French. His ranſom was, as yet, far from being entirely paid; and the hoſtages which had been delivered in pledge for its payment, remained ſtill in the hands of the Engliſh. David himſelf with his conſort, once more viſited England during this period. When the negotiations for the entail of the ſucceſſion to the Scottiſh Crown upon the Kings of England, had failed; the regular payment of the different inſtalments of David's ranſom, was then more preſſingly demanded. New conditions of future payment were then ſettled; and the truce was renewed and prolonged.

Farther tranſactions with England.

IN the interior government of his kingdom, David ſeems to have been about this time tolerably happy. The great barons, indeed, even in the interior

David's government in the latter years of his reign.

ſiderable debts: And there exiſts in—Fœdera VI. 727.—a bond or obligation in which ſhe acknowledges a debt of different ſums, to certain citizens of London, and pledges all her lands and goods, for the payment of it.

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terior parts, ſtill poſſeſſed and exerciſed a powerful and often uncontroulable juriſdiction: On the Engliſh marches, and towards the weſtern and northern extremities of the country, all was too often lawleſs diſorder, or licentious yet tyrannical miſrule: But, the diſorder was perhaps leſs than had exiſted at any former time ſince the death of Alexander the Third. His Parliaments frequently aſſembled at his ſummons; and new laws were from time to time enacted, to meet the riſing exigencies of private and public affairs. During theſe laſt years of his reign, the nation enjoyed a freedom from warfare, which was highly neceſſary to recruit its waſted ſtrength, after ſo many and ſuch long-continued wars, and theſe occaſionally accompanied with famine, peſtilence, and all the moſt terrible of thoſe evils with which the wrath of heaven at times chaſtiſes erring mankind*.

Death and character of David.

David at laſt died, in the caſtle of Edinburgh, on the twenty-ſecond day of February, in the year one thouſand three hundred and ſeventy-one, in the forty-ſeventh year of his age, the forty-ſecond of his reign. He cannot be accounted to have been a great prince. But, the defects of his character, and the errours of his reign, are eaſily to be traced to the unhappy circumſtances in which he was compelled to ſpend his youth, and even the prime of

* Fordun. XIV:—Fœdera:—Regiam Majeſtatem.

of his maturer years. Born to royalty, he was taught from his childhood to consider himself as being, independently of any great exertions on his own part, the darling and pride of the Scottish nation, whom the companions and admirers of his father's heroism would support upon the throne, whatever the demerits of his own character, however perilous and trying the circumstances of the times. By the early death of his illustrious father, he was left to be from infancy in the hands, and under the tuition—of men, who were interested rather to make him their property which they might employ to their private advantage, than to give him such an education as should form him to true manliness and vigour of character. In France he probably received the same military institution in which the young French nobles of that age, were usually trained: But, it was in the security of peace, amid the luxuries which surround royalty, with the persuasion continually impressed upon his mind, that his subjects would recall him to the government of his kingdom, after they should have delivered it from his enemies, without being aided by any personal exertions of his own: Nor was this an age in which any important education could be obtained otherwise than by an early initiation into the actual practice of affairs; for the arts of institution and discipline were still so imperfectly known, and so negligently exercised, that the young

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young prince or noble who was not even in his boyiſh years, led out upon the enterprizes of war, could ſcarcely ever be other than meanly clowniſh, and groſsly profligate. Yet, at his return to Scotland, David diſplayed a military ſpirit which wanted nothing but experience in that peculiar warfare which was exerciſed between the Scots and the Engliſh, to have merited all the praiſe of his father's talents for war. In his civil adminiſtration, he diſcovered, at the ſame period, nothing of weakneſs or imprudence but what may be reaſonably attributed to his ignorance of the ſtate of parties, and to his inexperience in active government. It was his captivity that proved fatal to the expanſion, the cultivation, and the full growth of thoſe abilities for war and civil government, which might otherwiſe have perhaps ſignalized his reign. After feeling bitterly for ſome time at firſt, the ignominy and the fatal diſadvantages attending his confinement; he then moſt probably turned himſelf to the ſolace of ſuch pleaſures as his ſituation could afford, and forgot the captive-monarch and the unfortunate warriour, in the enjoyments of love and wine. The artifices of Engliſh policy, and the jealouſies with which he was taught to regard the adminiſtration of his nephew and other barons in Scotland; tended to warp his underſtanding, and to ſour his temper, to impair at once his rectitude and his wiſdom. That period of his life which he paſſed in

in captivity, was the period in which are uſually formed and confirmed, thoſe habits of life, and that caſt of thinking which are not to be ſhaken off, but with the loſs of life itſelf. After his return, he could no longer aſpire to equal the glory of his father's atchievements, or completely to reſtore the honours of his own reign. In the latter years of his life, he ſeems to have approved himſelf to be a good eaſy man; habitually indolent, and therefore ſubmitting to be guided by others; yet not incapable of rouſing himſelf to meet the difficulties of any extraordinary emergency, with vigour and wiſdom in his deſigns, as with activity in his enterprizes; having his ſoul perverted from that high and generous patriotiſm, which had been the ruling paſſion in his father's character; yet not ſo as to tyrannize over his ſubjects, or to ſeek the direct ruin of his country. But, his mind was, at no period in his life, capable of thoſe grand and comprehenſive views which embrace a vaſt ſyſtem of policy, connect every purpoſe and event with its proſecution, and forego all other paſſions and intereſts for the ſake of accompliſhing it.

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Chap-

Chapter VI.

Robert the Second.

From the Acceſſion to the death of Robert the Second.

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To David Bruce, ſucceeded his nephew Robert Stewart, the ſon of Walter Stewart and Marjory Bruce; to whom, next after David and his offſpring, the regal ſucceſſion had been ſecured by the ſettlements anxiouſly framed in the latter Parliaments of the reign of Robert Bruce. Mature in years, and well acquainted with the ſtructure and the adminiſtration of the Scottiſh government; Robert Stewart might naturally be expected to rule the kingdom which he thus inherited, with wiſer policy and higher authority than had ever been exerciſed by his ill-fortuned uncle. Many circumſtances concurred to augur proſperity to his reign. Balliol had relinquiſhed all his pretenſions to the ſovereignty of Scotland; even the Engliſh had, for a time, at leſt, abandoned the idea of ſubjugating the Scots by force of arms; the exiles whoſe claims, and whoſe indignant vengeance had been the ſources of all the calamities which afflicted their country during the reign of David Bruce, had either periſhed in the war, or had ceaſed to urge their

State of the kingdom in reſpect to foreign political connexions.

pretenſions, or having joined the adherents to the cauſe which they once oppoſed, had their claims allowed, and their reſentments now ſoothed. Robert was the father of a numerous family of ſons, ſo that the nation, when they ſaw his houſe upon the throne, could fear no ſudden evils from a failure of the royal line, and a conteſted ſucceſſion to the Crown. There was now no rival family, which might diſpute the rights of Stewart and his ſons, and ſtrive to diſturb their reigns by adverſe pretenſions. Edward the Third of England was now old, and far leſs ſanguine and ardent than he had been in his earlier years, in his projects of conqueſt and ambition: his heroic ſon, the Black Prince, was no more; and his grandſon the heir-apparent to his Crown, was but a boy who, whenſoever he might ſucceed his grandfather, muſt long be immature for the wiſe and vigorous diſcharge of the functions of government. The inveterate hoſtility between France and England, might at times languiſh becauſe the ſtrength of both parties, was then wearied out and exhauſted, but could never be extinguiſhed, and therefore ſerved to preſerve in the French a ſteady ally to the Scots, and to the Engliſh a potent and relentleſs foe. The truce which had ſubſiſted between England and Scotland during the latter years of David's reign, had not yet expired; and ere it ſhould be at an end, new expedients might be deviſed for prolonging the tran-

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quillity which it afforded, or for renewing the war with ſome deciſive advantages.

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Internal ſtate of the kingdom.

Nor was the internal condition of the kingdom, to the ſovereignty of which Robert Stewart now ſucceeded, leſs auſpicious in its aſpect with regard to the future fortune of the opening reign, than the ſtate of its political relations to its neighbours. The nobles were all faithfully attached to the intereſts of their country, and to the rights of the family of Stewart. David, in thoſe few peaceful years which cloſed his reign, had laboured not without ſucceſs, to eſtabliſh the authority of law and government over the rude clans in the northern and weſtern Highlands, and in the Hebudian Iſles; and the ceſſation of the civil war between the partizans of Balliol and thoſe of Bruce, had reſtored order in the middle and eaſtern diſtricts of the kingdom; while the truce with England reſtrained the ravages on the ſouthern border. The nation in general being weary of the miſeries of anarchy and war, were perhaps more diſpoſed than they had been at any former time, to cheriſh the bleſſings of tranquillity. None of the great barons, unleſs perhaps the already potent family of Douglas, was ſufficiently powerful and eminent in the kingdom, to rival or contemn the authority of the monarch.

Stewart ſucceeding to the Scottiſh Crown, with theſe advantages, was ſolemnly inaugurated at Scone

Scone on the twenty-fifth day of March, in the year one thouſand three hundred and ſeventy-one. A throngning concourſe of the nobles and people attended, to do homage to the new King, and to aſſiſt in the joyful celebration of this auguſt ceremony. William Douglas, the moſt powerful of the vaſſals of the Crown, ſeemed at firſt to ſee with jealouſy and diſlike, a man raiſed to be his ſovereign, who had been but lately his fellow-vaſſal. But, the marriage of the grand-daughter of the new King to James Douglas, the eldeſt ſon of William, ſoon reconciled the Douglaſſes with full cordiality, to the royalty of the Stewarts*.

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A. D. 1371. Coronation of Robert the Second.

WITH England there was ſtill peace. But, the death of David Bruce, and the eaſy ſucceſſion of Robert Stewart upon the Scottiſh throne, ſeemed to fruſtrate all thoſe hopes which the Engliſh King had founded upon his ſecret negotiations with David; and would therefore make him leſs careful to maintain the truce to the end of the whole period through which it was framed to extend. Robert's intereſts had long been in oppoſition to the views of the Engliſh; and all his partialities were, for this reaſon in favour of the alliance of France. It was impoſſible long to reſtrain the turbulent hatreds of the vulgar of the two nations, and the ſavage rapacity

Circumſtances tending to prompt to a renewal of the war with England.

* Fordun. XIV. 36:—Buchan. L. IX:—Major. L. V. C. 23, &c.

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pacity of the border-tribes, within thoſe ſtrict limits of mutual forbearance which the faithful obſervance of the truce preſcribed. There were ſtill in the hands of the Engliſh ſeveral caſtles, and an extent of territory which had from time immemorial, been regarded by the Scottiſh Kings, as making properly a part of their dominions; and it is therefore probable that Robert and not a few of his patriotic and warlike barons might not be averſe to ſee a renewal of hoſtilities againſt the Engliſh, which ſhould afford them another chance of reſtoring their frontier to its ancient boundaries.

The truce violated.

Not long therefore after Robert Stewart's acceſſion, the petty hoſtilities of the Scottiſh and Engliſh borderers began to become mutually more frequent and more vexatious than they had, for ſome time before been. Juſtice was at firſt reciprocally done upon the aggreſſors, at the complaints of the ſufferers, by the wardens of the marches, agreeably to the proviſions of the treaty of truce. But, it ſoon happened at a fair in Roxburgh, which was at this time held by the Engliſh, that a ſquire of the name of Dunbar, in the ſervice of the earl of March, was in a fray circumvented and ſlain by the Engliſh. The earl demanded juſtice to be executed upon the aſſaſſins. Perſuaded, it may be, that Dunbar had deſerved his fate, or contemning the reſentment of March, and willing to provoke the hoſtilities

hoſtilities of the Scots; the Engliſh anſwered the Earl's complaints with deriſion, and refuſed the ſatisfaction he required. But, March would not forego his revenge. At the return of the next fair at Roxburgh, he ſecretly aſſembled a troop of armed followers; approached the town; and when the moment arrived of the fulleſt aſſemblage of people being congregated careleſsly in the fair; then ruſhed out of ambuſh, and attacking them unaware and unſuſpicious of danger; deſtroyed them with a general and unſparing ſlaughter. This enterprize, which more than retaliated the murther of March's ſervant, was however ſo flagrant an infraction of the truce, as could not but be followed by indignant and general hoſtility, on the part of the Engliſh. The loſs of his ſervant by an accidental rencounter in a fray, could never, even with all thoſe circumſtances of additional provocation with which it was accompanied, juſtify the perfidy and cruelty of this maſſacre at Roxburgh. From the caſtle and from their other contiguous poſts, the Engliſh, without making any peaceable demands of redreſs, ſpeedily muſtered a powerful force; and making a ſudden incurſion into the territory of Berwick-ſhire, where it was occupied by the Scots, ſpread terrour and deſolation wherever they advanced; burning the cottages, maſſacring the peaſantry, driving away the flocks and herds, and deſtroying whatever ſpoils they could not carry with

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with them. By this inroad, the lands of John Gordon of Gordon, were more eſpecially ravaged and laid waſte. To revenge the injury, Gordon with another troop ſoon made a furious incurſion into the territories of the Engliſh. Not unaware of his approach, they aſſembled to oppoſe and chaſtiſe the ſpoilers, in numbers greatly ſuperior to Gordon's force. Their leader was a valiant knight, named Sir John Lilburne. The two parties met and encountered each other in fight: the combat was long, obſtinate, and bloody: at length the Scots prevailed: wounded and obliged for five times ſucceſſively to ſeek his ſafety in flight, Gordon ſtill manfully returned to charge the foe, until a great part of the Engliſh had fallen. Lilburne their leader, with his brother, and not a few others were made priſoners; and there remained none upon the field to diſpute the victory with the brave Scots*.

Ridiculous route of the Engliſh.

The truce was now violated on both ſides beyond the poſſibility of an eaſy ceſſation of hoſtilities. From one ſide of the iſland to the other, from the Tweed to the Solway, the alarm of war, was loudly ſounded. Piercy, earl of Northumberland muſtering the whole military force of his county, entered the Scottiſh border, as far as Dunſe, to avenge and repair the diſaſter ſuffered by Lilburne. On the firſt evening of his expedition,

* Fordun. XIV. 37:—Boeth. XV.

tion, while he lay encamped, with his troops in the wood of Dunſe; the peaſantry who had fled from the approach of the Engliſh, to the heights of Lammermoor; contrived to make ſuch a noiſe by ſounding the rattles with which they were accuſtomed to rouſe or frighten away the wild beaſts of the hills and foreſts; that the invaders were alarmed by the ſound, as if it had been the noiſe of a mighty hoſt advancing to attack them; and their horſes for the moſt part breaking looſe, fled in wild terrour over the country; thus leaving their riders unfit to purſue their expedition. All night the Engliſh, in anxious yet not timid ſuſpenſe, awaited the aſſault of the enemies from whom they fancied that terrible and ſtunning noiſe to proceed. When day-light appeared, they firſt perceived that there was no formidable danger nigh; and then, upon farther enquiry, to their ſhame and utter confuſion, learned, how ridiculous had been the cauſe of their alarm! For want, however, of their horſes, now ſtrayed to a diſtance, they were forced to deſiſt from the enterprize, and to return diſappointed home. In the mean time, Muſgrave, governor of Berwick, coming with a part of his garriſon to join the expedition of Piercy, was intercepted and ſlain by the brave Gordon, the conqueror of Lilburne. On the weſtern marches, the gallant Johnſton and others oppoſed and haraſſed the Engliſh with equal

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boldneſs and activity, and with ſucceſs not leſs fortunate and ſplendid*.

A. D. 1372-80.

A new treaty offenſive and defenſive with France.

Amidst theſe military tranſactions by which the war with England, was not unſucceſsfully renewed; Robert had not neglected to renew alſo by a ſolemn embaſſy to France, the ancient alliance between the French and Scottiſh nations. Cardinal Wardlaw, biſhop of Glaſgow, who went upon this miſſion, found that Charles the Sixth had now aſcended the throne of France; ſucceeding to his father John, who had died in captivity in England. Short truces might occaſionally interrupt the war between France and England; but Edward ſtill proſecuted his pretenſions to the French Crown; the houſe of Valois ſtill firmly maintained thoſe rights by which they poſſeſſed it; and final peace was as yet far diſtant. To the French King, therefore, the alliance of the Scots could not fail to be at this time peculiarly acceptable. A new treaty was ſolemnly concluded between the French monarch and the Scottiſh ambaſſadors. It was agreed that the French and Scots ſhould in concert renew the war with England; that they ſhould agree to no ſeparate peace with their common enemy; that the King of France ſhould guarantee that order of ſucceſſion to the Scottiſh throne, which had been already eſtabliſhed, or rather whatever

* Fordun. XIV. 39, &c.

ever order King Robert and his Parliament might think fit to prescribe. If the French would not contribute money to the Scots for the payment of the arrears of the ransom due for the liberation of their late King from captivity; they could however prompt them to vindicate themselves by their swords from the farther fulfilment of a condition so humiliating. Having successfully accomplished the purpose of his embassy; Wardlaw with his attendants speedily returned to gratify their King with an account of these negotiations. He was not slow to ratify the treaty. Ere they arrived, war was already kindled up, on the confines between the two kingdoms. The events of each succeeding day, inflamed the animosity, and spread it wider. The hopes of the aid and steady support of France, encouraged the Scottish nation in general to take up arms with eager indignation against their proud and hated neighbours*.

A. D. 1372-90.

Robert Stewart's marriage and offspring.

In the prime of his youth, while he was yet only Steward of Scotland, Robert had obtained a papal dispensation, to enable him to espouse Elizabeth the daughter of Adam Muir of Rowallan. By her were born to him four sons, John, Walter, Robert, and Alexander; beside several daughters. But, Elizabeth dying before his accession to the throne; he had, since her death taken to wife Euphemia, the daughter of Hugh,

* Fordun. XIV. 44:—Fœdera T. VI. &c.

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earl of Roſs; who bore to him two ſons, David and Walter, and a daughter already given in marriage to the ſon of the earl of Douglas. That Euphemia might duely ſhare the royal honours of her lord, ſhe was now ſolemnly crowned Queen of Scotland at Scone, by the miniſtration of the biſhop of Aberdeen*.

Truces.

While the Scots and Engliſh were haraſſing one another with inceſſant inroads of ravage and depopulation, upon the borders; and were mutually threatening mightier and more formidable enterprizes; the French and Engliſh began to find their fortunes ſo equally balanced in the war upon the continent; that a peace became alike eligible to both nations. Truces were ſucceſſively agreed to; being continued, one ſtill as the period of a former expired; till a treaty of laſting amity ſhould be finally concluded between them. Theſe truces comprehending with the French, alſo their Scottiſh Allies; interrupted for ſeveral years, the proſecution of thoſe hoſtilities which the Scots had eagerly commenced: The interval of uncertain tranquillity, however, afforded leiſure to the Scottiſh monarch to turn his cares more particularly to the adminiſtration of the internal government of his

* Fordun. XIV. 39:—De Nuptiis Roberti Seneſcalli Diſſertatio, Goodall's Fordun. T. I:—Hay's Eſſay on the origin of the Stewarts, Edinburgh 1793:—Chalmers's life of Ruddiman, 20, &c. &c.

his dominions; and by juſticiary progreſſes, to repreſs licentious violence, and to maintain peace and order among his ſubjects*. Sect. I. Chap. VI. A. D. 1372-90.

But, the truces between France and England, ended, without having produced that permanent peace for the purpoſe of negotiating which, they had been at firſt agreed to. Even before the term of the laſt of thoſe truces, had expired, the caſtle of Berwick was retaken from the Engliſh, by a ſtratagem contrived and executed by a few common men of the county of Merſe. A more formidable enterprize was, ſoon after, undertaken and boldly executed by William earl of Douglas; who, aſſembling a powerful force, entered England on the ſide of the weſtern marches; ſurprized many of the unarmed inhabitants of Cumberland at a fair in Penrith; ſeized the merchandize which was there expoſed to ſale; rifled the town; and then ſetting it on fire, retired homeward with his troops loaded with ſpoils. They returned home in ſafety. But, it was not long till the Engliſh with an army of fifteen thouſand men, came to retaliate upon the Scots the injuries which Douglas's inroad into Cumberland, had inflicted. The invaders extended their ravages far and wide through the weſtern diſtricts of Scotland. But, ere they could march back into their own territories with their booty; Mutual hoſtilities between the Scots and Engliſh.

* Ford. XIV:—Hollin. and Hook. III. 409, &c. Fœdera VI.

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booty; the Scots who had aſſembled in a body to repel the invaſion; made a ſucceſsful ſtand; drove the diſorderly invaders into flight; and purſued them ſo furiouſly to the Solway, that while many were ſlain in flight, many periſhed in their trembling attempts to ſwim or wade acroſs the Solway, near Bo-neſs. The Scots remained exulting victors over the proud foes by whom they had been ſo threateningly invaded*.

Cauſes of the inferiority of the Engliſh.

Nor were theſe the only advantages about this time obtained by the Scots over the Engliſh. Edward the Third was now no more: His grandſon Richard was but a weak and giddy youth: The uncles of Richard, the younger ſons of Edward the Third, were the miniſters and tutors of the young monarch; but were more attentive to advance their private intereſts, than faithfully to ſerve the nation and their King. To its very extremities, the government of the whole kingdom felt the miſchiefs of this mal-adminiſtration. Vigour, vigilance, prudence, heroic ardour, ceaſed to be diſplayed in the counſels and in the military conduct of the Engliſh. In the many inroads and ſkirmiſhes by which the Scots and Engliſh now inceſſantly haraſſed each other, upon their frontiers, the Scots were for the moſt part victorious; defeat,

* Fordun. XIV. 43:—Hollinſhed and Hooker's Chronicle, p. 420:—Leſl. Res Geſtæ, 250.

defeat, and disgrace were the portion of their foes. The warriours on both sides were the same: But, their Kings, their leaders, their zeal, their hopes were no more so. While the reign of Richard began to be entangled in difficulties, and surrounded with troubles; his council and ministers were induced to advise him to seek peace, or at least a temporary truce with the Scots. His uncle John of Lancaster came northwards to Berwick for this purpose. And whether it were through fickleness and levity, or in consequence of neglect suffered from the French, or in compliance with the necessities of their affairs; the Scots shewed themselves not unwilling to listen to his proposals*.

A. D. 1372-90.

Insurrection in England.

It was during the stay of Lancaster at Berwick, that the flame of insurrection among the *villains*, *soccage-vassals*, and meaner burghers; being suddenly kindled up by the severity with which some new and enormous taxes were levied; soon spread itself over a very great part of England. Lancaster, who had been lately the most conspicuous agent in the administration of the royal authority, was the most hated object of the fury of the insurgents. Fortunately absent upon the negotiation of the truce with the Scots; he thus escaped from falling the victim of their rage. But, while they entered London, and made the young monarch tremble

* Fordun. XIV. 46:—Hollinshed and Hooker's Chronicle, ut supra.

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tremble on his throne; they failed not to deſtroy the property, ſince they could not reach the perſon of his abſent uncle. A truce for three years, was in the mean time ſucceſsfully negotiated with the Scots. The hopes of recovering the once uſurped ſovereignty of Scotland, were forgotten. Lancaſter, fearing perhaps for his perſonal ſafety, and aware that his preſence might irritate the inſurgents, but could hardly ſerve to quaſh the inſurrection, accepted the courteous offers of Scottiſh hoſpitality; and permitting the earls of Douglas and Murray, by whom the negotiations for the truce were managed on the part of the Scots, to conduct him northward to Edinburgh; was there magnificently entertained in the caſtle or at the monaſtery of the Holy-Rood; until the ſettlement of the domeſtic diſturbances in his own country allowed him to return in ſecurity home*.

Upon the expiration of the truce which had been ſo amicably negotiated with the Duke of Lancaſter, the war was again renewed. Lochmaben-caſtle, the moſt northern fortreſs poſſeſſed by the Engliſh on the weſtern ſide of the iſland, was held by a garriſon under the command of Sir William Featherſtone, whoſe ſallies for forage, pillage, and the conſtant hoſtile annoyance of the Scots inhabiting the circumjacent country, were found to be exceedingly

* Fordun. XIV. 46.

exceedingly wasteful and afflictive. To deliver the country from their ravages, Archibald the brother of William Douglas, and by inheritance from the family of Comyn, lord of Galloway, projected a brave enterprize for the siege of the castle. The Galwegians who had suffered the most from the hostilities of the garrison, eagerly followed the banner of their lord. An opportunity was vigilantly seized when the garrison were weak and almost destitute of necessaries. Featherstone being summoned to surrender, could not dissemble the difficulties and distress of his situation, but sought and obtained a truce with the besiegers for eight days, on condition that if not relieved within this space of time, the garrison should on the ninth day deliver up the castle. It was in the month of February, in a winter unusually cold and stormy; and the besiegers, during this interval of truce, were to remain in arms before the castle, and almost without shelter from the severity of the season. These difficulties were not, however, sufficient to divert them from their purpose. They remained. No relief came to save the garrison from falling into their hands. The castle was yielded, and by the successful besiegers levelled to the ground. In accomplishing this important enterprize, the earl of Galloway was aided by the counsels and martial activity of the earls of Dunbar and Douglas*.

A. D. 1384-90. Capture of Lochmaben-castle.

Fourth of February.

* Fordun. XIV. 47.

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A. D. 1384-90. Richard invades Scotland.

Alarmed by the vigorous activity of the Scots which could chuſe the depth of winter for ſuch an enterprize; and by the ſucceſs with which they had recovered one of the moſt important fortreſſes on the weſtern frontier: the Engliſh now prepared to invade Scotland with a great army, ſuch as ſhould ſufficiently chaſtiſe the Scots for the hoſtilities which they had lately committed againſt England, and ſhould reduce them to that humiliation to which they had often been ſubjected by the ſucceſsful invaſions of the Edwards. To ſtrengthen Roxburgh againſt a ſiege, they, in the mean time ſent the baron of Grayſtock with troops, and with a long train of waggons and beaſts of burthen, loaded with proviſions, arms, and other neceſſaries for the uſe of the garriſon in the town and caſtle. Aware of the approach of Grayſtock, the earl of March intercepted him by the way; and in a deſperate conflict, routed his party, left many of them dead on the field, made not a few priſoners,—and among theſe laſt, Grayſtock himſelf, whom he courteouſly conducted to his caſtle of Dunbar. In the caſtle of Dunbar, he ſeated his captive at a ſumptuous entertainment at his table, in which Grayſtock had the mortification to ſee himſelf ſerved in the rich plate, and with the wines which he was conveying to Roxburgh for the uſe of his friends, when encountered by the earl of March. But, an army of thirty thouſand men, led by King Richard himſelf in perſon

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ſon and by the duke of Lancaſter, advanced with a menacing career, through Northumberland, entered Scotland on the ſide of the eaſtern marches; and proceeded onward as far as Edinburgh; while a fleet accompanied their progreſs by ſea, and ſailed triumphantly into the Frith of Forth*.

But, the Scots ſaw the blaſt approach, without any fearful alarm. Willing, if poſſible, to occupy the military forces of the Engliſh ſo much within their own iſland, that they might not think of proſecuting the war on the continent with any powerful efforts: the French King had ſent to the aid of his Scottiſh allies, John de Vienne admiral of France, with a fleet of not a few ſhips, having on board two thouſand armed warriours, a large ſum of money, and a conſiderable quantity of ſpears and other armour. Aid ſo powerful was gladly received by the Scottiſh monarch and his barons. A counter-invaſion of England was quickly determined upon, as the beſt means for compelling the Engliſh to retreat from the invaſion of Scotland. From the eaſtern marches de Vienne with the earl of Douglas made ſome ſucceſsful incurſions into England; and took and demoliſhed ſome conſiderable caſtles in Northumberland. On the weſtern ſide, the ſame auxiliaries aided the earl of Galloway in an inroad into Cumberland. But, the cap-

Counter-invaſion of England.

* Fordun. XIV. 47, 48.

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ture of Roxburgh, being conſidered as the moſt uſeful enterprize that could be undertaken; the congregated force of Scotland, with the French allies, aſſailed this place, and had hopes of reſtoring it to the frontier of the Scottiſh dominions, which made them proſecute the ſiege with ſingular activity and zeal. Yet, while they were urging this ſiege, the French commander, and the King's ſons the principal leaders of the Scots, were led into a fooliſh diſpute concerning the property of the beſieged town and caſtle; whether it ſhould if taken be reſtored to the dominions of Scotland, or ſhould not rather become the property of the French King. This diſpute roſe ſo high that the Scots and the French would no longer ſerve together in the ſame expedition. The Scots did not now earneſtly ſtrive to retain the French in their country; for the ſpirits of the two nations did not well accord; and the French having delivered the ſubſidy which they brought, could not after this, long retain the favour of the proud and hungry Scots*.

The expedition of the Engliſh was fortunately defeated, as well as the purpoſe with which the French allies had come into Scotland. Their fleet, as former fleets had done, made various deſcents upon the coaſts, and eſpecially in the Frith of

* Fordun. XIV. 49, 50, &c.

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of Forth, ravaged the iſlets, and ſpoiled the religious houſes. But, ſtorms aroſe; ſome of the Engliſh veſſels ſuffered ſhipwreck; and St Columba was believed to have thus miraculouſly interpoſed for the puniſhment of that ſacrilege by which his ſhrines had been violated. On land, however, the invaders had not met with the ſame diſaſters; although they had ravaged the diſtrict of Lothian with unſparing fury, and without any diſtinction in favour of things ſacred to religious uſes. The town of Edinburgh, with its church conſecrated in honour of Saint Giles, ſhared the ſame fate. The alarm of the Scottiſh invaſion of England, ſerved to recall Richard from the farther proſecution of this enterprize; although the Scots with their allies, had already returned, ere the Engliſh army could be ready to intercept their retreat*.

The ſhores of the Forth ſpoiled.

Before the Engliſh had long returned from invading Scotland; ere the French allies commanded by De Vienne had been long gone for the continent; the Scots made a ſecond inroad into the borders of Cumberland; and retaliated thoſe miſchiefs which Richard had inflicted upon Lothian. Nor were the Scots content with haraſſing their potent enemies in England alone. William the baſtard-ſon of Archibald earl of Galloway, who, by his father's conceſſion, obtained from the King the earldom of Nithſdale, and

Expedition of the earl of Nithſdale to Ireland.

* Fordun. ubi ſupra.

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and a wife of the royal family, was one of the moſt heroic knights of the age. To avenge himſelf, his father, and his country upon the Engliſh for the miſeries which they had inflicted, eſpecially upon Galloway, partly by incurſions from the weſtern border of England, and in part by piratical expeditions from the Iriſh coaſt; this gallant youth, already diſtinguiſhed by exploits atchieved in repulſing and retaliating the invaſion of the inveterate foes of his country; muſtered a company of brave companions; and ſailed to attack the Engliſh power in Ireland. Landing at the town of Carlingford, he beſieged that place, and ſummoned its inhabitants to ſurrender it. Taken thus unexpectedly, and not in a condition to withſtand a ſiege, they affected to liſten to his propoſals, and entered into a treaty for a capitulation. Secure as to their ſucceſs againſt the town, the Scots detached a large part of their force to ravage the adjacent country; a part had been left on board their ſhips. But, having, in the mean time, concerted a ſtratagem to over-reach and ſurprize the beſiegers; the townſmen ſecretly ſent meſſengers to Dundalk, demanding immediate aid; and promiſing, that with a moderate reinforcement, they ſhould be able to cut off the whole Scottiſh force. The aid which was demanded, inſtantly marched. Before the Scots were aware of their danger, no fewer than eight hundred horſemen were ſeen to approach, for the relief of the town beſieged.

besieged. The townsmen issued in great numbers from their gates, to join this friendly host. A fierce engagement ensued; the Scots being now but two hundred in number, against so many foes. Of the Irish troops one part turned to pursue the spoilers who had dispersed themselves over the country; while the rest attacked Douglas with his company, immediately before the town. At last, the Scots, on all quarters victorious, even against such odds; spoiled the town and castle; and then setting the buildings on fire, and seizing some vessels which lay in the harbour, sailed away in triumph, with all the rich booty which they had so bravely won. On their passage homeward, they made a descent upon the Isle of Man, which was at this time in the hands of the English; and having laden their vessels with such additional spoils as it could afford; again continued their voyage, and landed safely in the bay of Lochryan in Galloway*.

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Scarcely had the brave William Douglas, with his companions, landed on the coast of Galloway, when they learned, that almost all the flower of the Scottish youth, were then engaged in an incursion into England, led by the earls of Fife, Douglas, Galloway, March, and Moray. William and his brave comrades flew with eager haste to share the

* Fordun. XIV. 51, 52.

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the atchievements and the glory of the enterprize. This army had invaded England in two diviſions, one of which was commanded by the earls of Fife and Galloway; while earl Douglas, with the earls March and Moray led on the other. On the ſide of the weſtern marches, were the earls of Fife and Galloway, with the troops which followed them; while the force led by the earl of Douglas penetrated through Northumberland as far as Newcaſtle upon Tyne. They beſieged this town, and attempted, but in vain, to take it by ſtorm. While they lay before it, news was brought, that all the military force of Northumberland, led by the gallant Henry Piercy ſon to the earl of the county, and in alluſion to his ardent valour, diſtinguiſhed by the name of Hotspur, was approaching to engage the Scottiſh army, and raiſe the ſiege of Newcaſtle. At this news, the Scots already deſpairing of ſucceſs againſt the town, and having from the firſt, made it the object of their expedition, rather to ravage the country, than to riſk the fortune of a pitched battle; decamped from before Newcaſtle, and proceeded on their way homeward. The Engliſh, led on by the furious Hotſpur, followed hard after. In the evening, while the Scots were careleſsly encamped; while their warriours were for the moſt part diſarmed; while the earls of Douglas, March, and Moray, unaware of any immediate danger, were ſitting down in the commander's

der's tent, to ſupper; the alarm was ſuddenly given, that the Engliſh were near at hand, and were about to ruſh furiouſly upon them. Upon this alarm, the Scots in haſte took their arms, and endeavoured to make a brave reſiſtance. Douglas aſhamed to have thus ſuffered himſelf to be ſurprized by the Engliſh, waited not to array himſelf in complete armour, but flew, careleſs of his perſonal ſafety, to reſiſt the firſt impreſſion which the attack would naturally make on the diſorder of his followers. While the light-armed and diſorderly followers of the Scottiſh army betook themſelves to ſudden flight, and were purſued by a part of the Engliſh: the more diſtinguiſhed and full-armed warriours boldly oppoſed the force by which they were aſſailed, and like their adverſaries, availing themſelves of the darkneſs of the night, turned upon them with deſperate impetuoſity; and uſing here ſtratagem, there all the rage and firmneſs of deſpair; at length broke the force of the attack of the Engliſh, compelled them to recede, drove them into general flight, and purſuing the fugitives, made a terrible ſlaughter, and took many priſoners. In the attack made by the Scottiſh ſpearmen, they found a reſiſtance from the enemy which they could not maſter, till at laſt John Swinton a brave Scottiſh knight, inſtead of puſhing with his ſpear, raiſed it aloft at one ſide, and with a mighty ſtroke, brake the ſhafts of ſo many of the

SECT. I. CHAP. VI.

A. D. 1388-92. Battle of OTTERBURN.

ſpears

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ſpears in the hands of the foremoſt column of the Engliſh, that the column was there thrown into diſorder, and an impreſſion was inſtantly made, which being vigorouſly purſued, gave the victory to the Scots. Among the priſoners were young Harry Piercy, with Ralph his brother. Of the Engliſh fifteen hundred were ſlain; and thoſe who periſhed on the ſide of the Scots, were even more numerous. But, in Douglas, who fell, mortally wounded in the head and neck, in conſequence of that want of complete defenſive armour, in which he had ruſhed out to the fight,—in him even alone, the Scots ſeemed to themſelves to have loſt an hoſt. With him fell alſo two diſtinguiſhed warriours, Robert Hart and John Towers. Tidings of the battle and of its event were quickly carried to the earls of Fife and Galloway, where they lay with their forces, within the weſtern border of England. Lamenting the fate of Douglas, and of their other fellow-countrymen who had periſhed in the battle; but exulting in a victory ſo glorious, and as to the comparative ſtate of the forces on the Scottiſh and the Engliſh ſides of the marches, ſo deciſive; they muſtered their forces, and returned ſtraightway home. The battle of Otterburn was fought on the fifth day of Auguſt, in the year one thouſand three hundred and eighty-eight*.

The

* Fordun. &c. Froiſſard:—Piercy's Reliques of Ancient Poetry, Vol. II.

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A. D. 1388-90. The earl of Fife governor.

The old age and bodily infirmities of Robert the Second now rendered him unequal to the active cares of government. But, prince John, his eldeſt ſon, being lame in conſequence of a ſtroke accidentally received upon his thigh from an unruly horſe; and poſſeſſing, beſides, but feeble abilities, and an indolent temper of mind; was unfit to diſburthen his father of the weight of adminiſtration. Robert, earl of Fife, a man of a bolder ſpirit and more vigorous talents, had been ever ſince his father's acceſſion to the throne, the chief miniſter of all his counſels. The King himſelf, now retiring more abſolutely than before, from all the active duties of royalty, therefore reſigned the reins of government wholly into the hands of the earl of Fife, his ſecond ſon, and formally nominated him to be governor of the kingdom. Robert, with no leſs zeal than he had before diſplayed, ſoon ſought an opportunity to ſignalize his adminiſtration by a new inroad into England. The opportunity which he ſought, quickly occurred: For the earl-marſhal of England, deriding the Piercies on account of the defeat which they had ſuſtained at Otterburn; propoſed himſelf to reſtore the honour of his country, by an expedition into Scotland that ſhould more than avenge the ravages which the Scots had lately inflicted, and the carnage which they had made. Accompanied by Archibald earl of Galloway, and now alſo of Douglas, young Robert Stew-

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art eagerly led an army into England, to anticipate the threatened invaſion. The flower of the Scottiſh warriours were in the army of Stewart. At their approach, the earl-marſhal ſenſible of the inferiority of the force which he led; and being either too cautious, or too timid, to meet the Scots with unequal numbers; choſe a poſition for the encampment of his army, from which he could not be forced to fight at a diſadvantage. In vain did the Scots provoke him to meet them on equal ground. He ſaw them ravage the country around; heard them ſcoffingly ſummon him to battle; and bore even the ſcorning inſults of his own followers whoſe ardour he reſtrained, without being moved to forego thoſe advantages which his favourable poſition ſecured to him. The Scots after ravaging the country, and in vain ſtriving to draw out the Engliſh to battle, retreated back into their own country; and even accompliſhed their retreat without being at all annoyed by the forces of the Engliſh. The Scots might now boaſt that they had terrified the Engliſh commander ſo as to make him forget his inſolent threats; and had ravaged the territories of England, unreſiſted, in the face of an Engliſh army. The Engliſh might ſcorn the leader who had not yielded to the headlong impulſe of their martial ardour, when they were in preſence with the Scots. But the earl-marſhal had probably acted the part of a wiſe and able general in refuſing

fuſing to fight in circumſtances in which he could not hope for victory. Stewart and Douglas had equally acted the part of able leaders by gratifying the bold ardour of their troops, and yet conducting them home, without any needleſs waſte*. A. D. 1388-90.

A TRUCE between France and England produced ſoon after a ceſſation of hoſtilities equally between the Engliſh and the Scots; for the Scots were at this time inſeparably attached to all the amities and enmities of their continental Allies. The truce was to laſt for the ſpace of three years. But, Robert the Second was not to ſurvive to ſee upon its termination, the renewal of the war. He died in his caſtle of Dundonald, in the month of April, in the year one thouſand three hundred and ninety; in the ſeventy-fifth year of his age; and after a reign of ſomewhat more than nineteen years. Death of Robert the Second.

ROBERT the Second was the child of high expectation, and his infancy was dandled in the lap of royalty. But, the birth of David Bruce, removing him from the proſpect of the direct inheritance of the Crown, had thus ſerved to favour his being educated to manly exertion, and to that vigour and activity of character, without which high birth, wealth, and external honours are but unavailing His character.

* Fordun. &c.

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A D. 1386-90.

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vailing names. Yet, he attained not to that diſcernment, firmneſs, and promptitude of mind, which meet in the hero and the ſage. He was ſuperior in almoſt every great quality to his uncle David Bruce, but greatly inferior to Wallace, Robert Bruce, the Firſt and the Third Edwards of England, and to ſeveral of the heroes of the race of Douglas, who adorned this age. He was not deficient in valour; a quality in which indeed the Scots of this æra were rarely wanting: He poſſeſſed alſo that candour, openneſs, and dignity of manners which rarely fail to acquire popularity to a man of high rank: but, he was unaccuſtomed to judge for himſelf, and to take his part with the deciſion of a man whoſe fortune depended ultimately upon his own conduct alone. A weaker man would have been unable to act that uſeful and important part which Stewart acted while guardian of the kingdom in the abſence of David Bruce: A man of more eminent abilities, would probably have withheld all power from David after his return out of England; and would never have actually ſurrendered the authority which had been ſo long left in his hands. It muſt, however, be confeſſed, that the abilities of Robert Stewart were depreſſed and thrown into the ſhade in his earlier years by the dependence upon his uncle in which he was neceſſarily placed,—in the latter part of his life, by the riſing powers and the bold ambition of his

his own ſons. Of the Scots in general of this period, it is to be obſerved, that they rather yielded to the impulſe of events, and ſwam unreſiſting down the current, than diſplayed that bold originality of genius by which Wallace, Bruce, Douglas, and Randolph had conducted thoſe councils and military enterprizes which, in the period immediately preceding, reſcued Scotland from under the yoke of Engliſh uſurpation.

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In the period extending from the acceſſion of Malcolm Canmore to the death of Alexander the Third, it had been the primary object of the policy of the Scottiſh monarchs, to reduce all the petty chieftains within the limits of their dominions, to an entire ſubjection under the royal authority of the Crown. From the death of Alexander the Third to the preſent time, the object of all the policy and all the wars of the Scottiſh nation had been to reſiſt the conquering ambition of the Engliſh. The extirpation of almoſt all the families of the ancient independent chieftains of the ſouthern and middle parts of Scotland, had raiſed the Scottiſh monarchs to the ordinary power and dignity of feudal ſovereigns. But, to reſiſt the force, and the policy of England, required efforts even greater and more deſperate, than thoſe which had been formerly exerciſed for the eſtabliſhment of domeſtic order. Yet, this object was at length almoſt

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completely accompliſhed. Wallace firſt, and then Robert Bruce had traverſed all the deep ſchemes of Edward the Firſt: the weakneſs of Edward the Second oppoſed to the experience and enthuſiaſtic energy of Robert Bruce and his adherents, at laſt left Scotland in poſſeſſion of its ancient freedom: the ambition and high talents of Edward the Third finding an apt inſtrument in the younger Balliol, while there was none but a boy to hold the Scottiſh Crown for the family of Bruce, had almoſt rivetted anew thoſe chains from which Robert Bruce had delivered his country. But, the laſt efforts of that generous ſpirit of patriotiſm which Wallace and Bruce had kindled; the fortunate diverſion of Edward's ambition to the theatre of the continent; the conſequent interpoſition of France to ſupport the Scots againſt the Engliſh; even the happy tergiverſation of David Bruce which had withheld the Engliſh from proſecuting in war, what they hoped to accompliſh by policy; and at laſt the uncertain counſels of the minority of the Engliſh Richard the Second; had again almoſt wholly fruſtrated the deſigns of Edward the Third againſt the independency of Scotland, juſt as the ſchemes of his grandfather had been fruſtrated before.—The intervention of France in the wars between the Scots and the Engliſh, had now drawn the Scots in ſome degree within the ſphere of continental politics. Already did that ſyſtem of policy begin

to

to be formed, which was, afterwards to combine all the nations in the middle and ſouthern parts of Europe, into one circle of conſtantly mutual friends or enemies. France and England were long to contend for the friendſhip of the Scots, who, at times, were able to hold the balance between them: And France was to ſtrengthen herſelf againſt the ſuperiority which the approaching union of Scotland with England, would neceſſarily beſtow upon the latter in her conteſts with the French,—ſolely by wreſting from the Engliſh Kings in happy hour, all their dominions within the boſom of France,—and by ſubjecting her own overgrown nobility, to the unreſiſted power of the throne.—Still did the Engliſh heſitate, even in the feeble reign of Richard, to relinquiſh thoſe rights which they fancied themſelves to have acquired to the paramount ſovereignty of Scotland. But, although nominally retained, thoſe pretended rights were however, as it ſhould ſeem, now virtually relinquiſhed: And it was a war of mutual, inveterate, inextinguiſhable malignity fomented by the artifices of France,—not a war excited on either part by the hopes of laſting conqueſt,—which now prevailed between the Scots and the Engliſh. The Scots had learned the arts of defence; and were conſcious, that all the force of England could never entirely ſubdue them.

Chapter VII.

Reign of Robert the Third.

Sect. 1. Chap. VII.

A. D. 1390. Acceſſion of Robert the Third.

To Robert the Second of this name, the firſt of the race of Stewarts who ſat on the Scottiſh throne, ſucceeded John earl of Carrick, his eldeſt ſon by Elizabeth More. John was ſolemnly crowned King of Scotland at Scone, on the fifteenth day of Auguſt, in the year one thouſand three hundred and ninety. On the day following, the ſame honours of coronation were alſo conferred upon Annabella Drummond his Queen. But the name of John was unknown in the catalogue of the former ſovereigns of Scotland: That name which had been held by the firſt heroic Bruce, was dear to the Scots above all other names: and John was therefore perſuaded to aſſume the appellation of Robert the Third; calling himſelf after his great-grandfather, and his father. A great concourſe of the Scottiſh clergy, burgeſſes and barons, with their reſpective followers, thronged to congratulate their King on his acceſſion, to aſſiſt at the ceremony of his coronation, and to meet him in Parliament for the tranſaction of the legiſlative buſineſs of the ſtate. Conſent ſo joyfully unanimous ſeemed to promiſe

promiſe to the new King a fortunate reign, ſtrong in the harmony and loyalty of his ſubjects*. Sect. I. Chap. VII.

A. D. 1390-1.

The mutual hoſtilities of Scotland, France, and England were ſtill ſuſpended by a truce, to the obſervance of which with due fidelity, the new King ſolemnly ſwore even before the act of his coronation was formally conſummated. Richard ſtill young and unſkilled in the arts of government, was wholly occupied in pleaſures, in reſiſting, or yielding to, the cabals of his nobles and courtiers, and in other cares which left him little at leiſure to renew the war with Scotland, or with France. Robert the Third, pacific in his natural temper, and now too infirm in body for the toilſome enterprizes of warfare, was more diſpoſed to maintain ſuch a ceſſation from hoſtilities as might ſuffer the induſtry of his ſubjects and the fertility of his kingdom to be revived, than to ruſh with raſh impetuoſity into the miſchiefs of new wars†. State of national affairs in regard to England.

But, the ſpirits eſpecially of the northern Scots, as yet uncivilized, and inured to continual wars, could not quietly enjoy that reſt from foreign conteſts which the truce with England now afforded them. The northern clans ſtill lived in a ſtate approaching Diſturbances in the Eaſt-Highlands.

* Fordun. XIV:—Winton. Book VIII.

† Fordun:—Winton.

Sect. I. Chap. VII.

A. D. 1390-1.

proaching more nearly to ſavage than to civil life, and were, even in this age, much more barbarous than the inhabitants upon the middle and ſouth-eaſt coaſts of the kingdom. In the government, too, of ſuch a prince as Robert the Third, there was neceſſarily a want of energy, but too favourable to domeſtic feuds among his turbulent barons and diſorderly clans. At the moment of interregnum which paſſed between the death of Robert the Second and the coronation of his ſucceſſor; Alexander Stewart, earl of Buchan, and ſon to the deceaſed King by Elizabeth More, had, in revenge for ſome ſlight injury or affront from the biſhop of Moray, purſued him to his epiſcopal ſeat at Elgin, and failing to get the biſhop within his power, had ſet on fire the cathedral of Elgin, and furiouſly burnt it to the ground. Perhaps this violence had been retaliated; and the Stewarts were moved to revenge the retaliation: Perhaps it might be only the ſame fierceneſs and turbulence of character exerting itſelf in a new direction: But however this might be; the inauguration of the new monarch had not long been celebrated, when Duncan, ſon to the earl of Buchan, with the armed vaſſals of his father, in ſcornful violation of the King's peace, made a ſudden inroad into the county of Angus. At *Glenbrereth* they were oppoſed by Ogilvy ſheriff of Angus, and his uterine brother Walter Leighton at the head of the armed force of

of the county. A desperate conflict took place: The spoilers prevailed; and Ogilvy and his brother Leighton were slain, with about sixty of their comrades. Nor does it appear that the Stewarts of Buchan were immediately brought to justice*. A. D. 1390-1.

Affairs on the borders.

On the marches between Scotland and England, the truce now prolonged for a farther term of some years, was still faithfully observed. Piercy, earl of Northumberland, and James earl of Douglas, were, at this time the principal commanders on the borders for the English and the Scots respectively. While acts of rapine and of sudden outrage were occasionally committed upon both sides; such impartial justice was however done equally to Scots and English by both the Lords-Wardens, that the guilt and dissensions of individuals were prevented from kindling up unseasonable hostilities between the two rival nations. Single combat was not yet excluded from the modes of trial and decision authorised by law: And of this a remarkable instance was now exhibited in a combat fought between Struthers an Englishman, and Inglis a Scotsman, in the presence of Douglas and Piercy, for the solemn decision of a quarrel between the two champions. The Englishman fell†.

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* Fordun:—Lesleei:—Winton.

† Fordun.

Sect. I. Chap. VII.

A. D. 1390-400

Combat between two Clans on the North-Inch of Perth.

A contest between too fierce northern clans produced another judicial appeal to the fortune of combat, at Perth, in the year one thouſand three hundred and ninety-ſix. The hoſtile clans were the *Clan-kay*, with their chieftain *Scheabeg*, and the *Clan-quhele*, whoſe chief was *Chriſti-Jonſon*. No eaſier expedient could quell or pacify the feud ſubſiſting between the two rival tribes. With difficulty did the King's juſticiaries perſuade them to ſubmit the determination of their quarrel to the iſſue of a combat between a certain number of choſen warriours from the one clan, and an equal number from the other, to be fought at Perth, in the preſence of the King and his Court. From all parts of the kingdom there was a concourſe of ſpectators to ſee the combat. Battle-axes, ſwords, with bows and arrows were the weapons which the combatants agreed to uſe. Thirty out of the one tribe were oppoſed to thirty out of the other. It was on the Monday immediately before Michaelmas, that they met in arms on the beautiful plain named the *North-Inch*, on the ſouthern bank of the Tay, and contiguous to the town of Perth. When theſe champions ſtood ready for the word to begin the mutual attack, one coward from among them ſhrinking from the danger and the glory, threw himſelf into the Tay, and ſwimming acroſs, left his comrades to fight or flee, how they choſe. By this diminution of the number upon one ſide, the combat

combat was for ſome moments delayed, till a brave fellow advancing from among the ſurrounding crowd, offered for the ſmall reward of half a merk, to ſupply the place of the fugitive, and to riſk his life, as a mercenary, in a conteſt in which he had no previous concern. His proffered aid was accepted. The combatants aſſailed each other with terrible fury; prolonged the engagement with all the moſt deſperate exertions of rage, intrepidity, ſtrength, and addreſs; nor ceaſed, till of the vanquiſhed Clan-kay only one ſurvived, of the Clan-quhele, but eleven. The ſtranger who had with ſuch ſavage indifference to life, joined the combat, had the wonderful good fortune, after acquitting himſelf manfully, to ſurvive the fight without a wound. The event of this combat quieted, for a time the diſturbances of the northern Highlands*.

A. D. 1398.

Domeſtic concerns of the family of Robert the Third.

But, the ſame indolence of character, the ſame infirmity of body and weakneſs of mind, which had rendered Robert the Third when earl of Carrick, and in the latter years of his father's life, leſs fit than his brother Robert earl of Fife, for relieving his father of the toils and cares of the adminiſtration; made him, even now, averſe from the active duties of government, and but ill-qualified to exerciſe them. The earl of Fife, ſtill directed the royal counſels, and adminiſtered the King's power; while

* Fordun:—Winton:—Conflicts of the Clans.

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A. D. 1398.

Dukes first created in Scotland.

while the King himself passed much of his time in indolent retirement at a favourite castle which he possessed near Logieraite in Athole. To gratify the ambition of the earl of Fife, and at the same time to grace young David the King's eldest son; the honours of Dukes of Albany and Rothsay, were conferred upon the uncle and the nephew, at a solemn meeting of the Scottish Parliament at Perth, in the year one thousand three hundred and ninety-eight. Not that the title of *Duke* could confer any higher power than the title and office of earl. But *Duke* was a title which had been lately conferred, with some degree of profusion by King Richard of England, upon some of his favourite courtiers: And since it might serve as well as that of *Count* or *Earl*, to distinguish a nobleman as enjoying the principal freehold possession, with the jurisdiction civil and military within a certain district; it was therefore natural that the influence of fashion and of novelty, should be suffered to recommend this new title as more august and dignified, than that which long use had made familiar. With the titles were also bestowed the jurisdiction and perhaps the freehold property of the two *dukedoms*, the heights of *Albany* or *Braidalbane*,—and the castle of Rothsay with the isle of Bute. Festivities for which the tranquillity of the kingdom, on the side of England, now afforded leisure, and such as were not incompatible with the rude simplicity of the Scot-

tiſh court; were celebrated in honour of the occaſion. The tourneament, the chace, the banquet, were means of entertainment fitted for the amuſement of the aſſemblage of the Scottiſh barons at the court of their ſovereign, and for the expreſſion of their joy in the proſperity of his family*. A. D. 1398.

SUCH public tranquillity was not to be long enjoyed. The rivalry and overgrown power of the nobles, was ſoon to raiſe up new miſchiefs from the very boſom of harmony and peace. The deſcendents of thoſe chieftains who had fought for their country with Bruce and Wallace, had now ſtruck firm root in the kingdom. Not for their country alone had thoſe warriours fought; for, the eſtates of rebels, traitors, and fugitives, with large grants out of the ancient domains of the Crown, had been the compenſations of their ſervices. Poſſeſſing ſuch eſtates, being for the greater part men of ability and valour, enjoying that influence which the deeds of their fathers and their own naturally acquired to them, in the ſtate; they, with theſe advantages, became unavoidably formidable even to the Crown. The fiefs of the feudal nobility had, before this period, become fixedly hereditary throughout Europe; ſo that a baron who was diſagreeable to his ſovereign, could no longer be ſtripped at pleaſure, of his lands and honours. Of the nobles of Scotland

* Buchanan:—Fordun:—Winton.

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A. D. 1398.

land who had profited of these circumstances, the most powerful and eminent, next after the Stewarts, were the Douglasses, and the Dunbars. The earldoms of March and Moray were united in the latter family: The possessions of the former were still more extensive. It was from the family of the earl of March, that the King or the prince himself chose a wife for young David, duke of Rothsay, who had now advanced beyond the age of puberty, and was rising fast to the maturity of manhood. March proud of the alliance, consented to pay a vast dowry with his daughter to her royal bridegroom: The virgin was already espoused; the consummation of the nuptials was speedily to be celebrated. But, the earl of Douglas and Galloway, Archibald, denominated the *Grim*, jealous of the advantages which this marriage promised to bestow upon a family whose pre-eminence in the state already rivalled that of his own; protested against the espousal of the prince to the daughter of Dunbar, without the consent of the estates in Parliament; by his intrigues at the court, alienated the minds of the King and the prince from the intended marriage; and then offering to David, his own daughter Marjory, with a dowry greater than had been paid by the earl of March, procured the duchess of Rothsay to be chosen out of the house of Douglas, instead of that of Dunbar. The marriage between David and Marjory Douglas was solemnly celebrated

Marriage of the duke of Rothsay.

ed in the church of Bothwell. Yet, before its final conſummation, March indignantly haſtening into the preſence of the King, warmly demanded, that his own daughter ſhould either be ſtill preferred, or at leſt the marriage-portion reſtored, of which he had already made payment. His complaints and reproaches were too angrily urged to obtain a patient hearing, or a ſoothing anſwer. Perhaps the money was already appropriated to other uſes. The King was perhaps but a paſſive inſtrument in the hands of his ſon, his brother, and the earl of Douglas. March thus diſappointed, robbed, and ſcorned; vowed to revenge the injury; withdrew in rage from the court; and retiring haſtily to England, entered into a traitorous correſpondence with the ſervants of the Engliſh King: Treaſon which might well find an excuſe, if it were lawful to ſacrifice the intereſts of our country to our private paſſions! The ſlighted maiden, by name Elizabeth Dunbar, retired to hide her ſhame and diſappointment in a cloiſter*.

A. D. 1398-1412

In England, meanwhile, the ſovereign had found himſelf not leſs weak againſt the power, the intrigues, and the rebellion of his great vaſſals. During the earlier part of his reign, King Richard, the ſon of the celebrated Black Prince, was guided chiefly by the influence of his uncles the dukes of

Engliſh affairs.

* Fordun.—Winton.

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York, Lancaſter, and Glouceſter. Emancipating himſelf, as he grew up, from their authority, he did not however become his own miniſter, nor intruſt the affairs of his government to wiſer and more faithful counſellors. His meaſures were imprudent; his favourites were mean and weak men. He offended, and alienated from him, the minds of his barons, without diminiſhing, or rather after he had augmented—their power. He degraded the majeſty of the throne without winning that popularity which he might perhaps expect to become the prize of the levity of his manners. In theſe circumſtances he, firſt, baniſhed his couſin the duke of Hereford, and afterwards upon the death of that prince's father, Lancaſter, ſtripped him of his inheritance. Hereford ſoon ſeizing the opportunity of Richard's abſence upon an expedition into Ireland, landed from Flanders upon the north-eaſt coaſt of England; prevailed with the Piercies of Northumberland to eſpouſe his cauſe; and after pretending at firſt that he ſought only the reſtitution of the inheritance of which he had been deprived; aſpired, when he found himſelf borne along upon a tide of ſucceſs, to ſnatch the crown from Richard's head. The object of his ambition was ſoon accompliſhed; and Richard periſhed. In conſequence of this revolution, Iſabella, the daughter of the French King, who although yet a child, had been eſpouſed to Richard, returned a widow to her father. The bond of expected

pected peace and harmony between France and England was broken; and a renewal of war between the Engliſh on one ſide, and the Scots and French on the other, was ſoon to take place*. A. D. 1398-1412

War with England.

THE treaſon of Dunbar concurred with the wiſhes of the Engliſh, and with the temper eſpecially of the borderers, and the lord-warden of the marches. Dunbar had not been long in England, to which he had at firſt gone under the ſpecious pretext of having buſineſs to tranſact there; when his nephew Robert Maitland, who was intruſted with the cuſtody of Dunbar-caſtle, during the earl's abſence; ſurrendered it, through fear or treachery, to young Archibald Douglas, the ſon of Archibald earl of Douglas and Galloway. In vain did the earl of March alledge that he had gone into England under a paſſport, for the tranſaction of ſome private affairs; and without prejudice to his allegiance to the Scottiſh King. The Douglaſſes and Stewarts knew that they had injured him; and would not now truſt his profeſſions, ſo far as to arm him again with means to hurt their intereſts and thoſe of his country, of which they had already artfully deprived him. By this ſecond injury, March was provoked to the utmoſt; he no longer heſitated to take part with the Engliſh in open hoſtilities againſt Scotland. His ſons, his ſervants, his kinſmen ſhared

* Hollinſhed's Chronicle, &c.

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ſhared his reſentments, and eſpouſed his cauſe. They repaired in great numbers to join him on the border of Northumberland; and thence coming in frequent inroads, ravaged the whole territory of Berwickſhire wherever it was hoſtile to them, and of Eaſt Lothian, as far as Haddington, with terrible devaſtation. They were wont to iſſue out in ſmall bands, and to come by ſtealth upon the burgeſſes and peaſantry, ſo that their attacks being unforeſeen, could not well be guarded againſt, or eluded, and being inceſſant, were more haraſſing and deſtructive than the waſting career of a great army could have been. Nor was it long till March, not ſatisfied with the effect of ſuch petty inroads, came upon a grand expedition againſt his native country. With thoſe from among his own vaſſals, who ſtill followed his fortunes, came alſo a ſelect company of warriours, Engliſhmen of Northumberland, who were commanded by young Harry Piercy, the famous Hotſpur. The invaders advanced far through the counties of Scotland; laying all waſte before them, with the uſual ravage which attended ſuch inroads. But, young Douglas, who was now with the garriſon in Edinburgh-caſtle, was warned of the approach of the Engliſh, and made haſte to meet them. While they lay encamped between Linton and Preſton, unaware of any approaching oppoſition; they were alarmed with the ſudden cry, that the Scots were advancing within

An Engliſh invaſion defeated.

within ſight. At this cry of alarm, Dunbar and Piercy were compelled to break up their camp in the utmoſt haſte and confuſion. They knew not what numbers of the enemy came; and even a few might prevail, if they came ardent, vigorous, and alert, againſt men whoſe ſecurity expoſed them to be routed by panic fear. Leaving, therefore, the ſpoils which they had collected, the half-dreſſed meat which they had nearly made ready for their evening meal, and moſt part of whatever baggage they had with them; the Engliſh inſtantly fled in all the diſorder of route and diſmay. The Scots eagerly purſued, and in Colbrand's path, and onward to the very gates of Berwick, made a great ſlaughter among the fugitives. The banner and ſpear of Sir Thomas Talbot, were brought away as proud trophies of the ſucceſs of this eventful night*.

Other evils ſtill aroſe to counterbalance whatever advantages were gained in ſuch rencounters with foreign foes. Archibald earl of Douglas and Galloway, who although turbulent and ambitious, had been ever gallantly faithful to the intereſts of his country, and to the rights of the houſes of Bruce and Stewart; died by diſeaſe. His ſon-in-law, prince David, advancing in years; wanting a friend ſo powerful, a counſellor ſo faithful as Douglas; and beginning at once to view with jealouſy his

* Fordun.—Hollinſhed.

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A. D. 1398-1412 Invaſion of Scotland by Henry the Fourth.

his uncle, the earl of Fife, and to become the object of that uncle's fear and hatred; was expoſed to opening intrigues which his ill-managed oppoſition ſerved but to ſtrengthen againſt himſelf, and of which he was to fall, at laſt, the victim.—Henry the Fourth of England, the murtherer and ſucceſſor of Richard, being now firmly eſtabliſhed on the throne, was excited by the perſuaſions of Dunbar and the Piercies, and by the unwearied hoſtilities of the Scots, to ſummon his military vaſſals, and undertake a grand expedition into Scotland. The march of his land-army was accompanied by a fleet at ſea, which coaſted along the ſhore ſo as to furniſh from time to time, the neceſſary ſupplies of proviſions to the troops. His march was by Berwick, onward to Haddington, and thence to Leith. Edinburgh at that time powerfully garriſoned by troops under the command of the young duke of Rothſay and the earl of Douglas his brother-in-law; was in vain aſſaulted by the invaders. The whole military force of the Scottiſh dominions was, in the mean time aſſembled under the command of the duke of Albany; and advanced as far as Calder-moor, to reſiſt the farther progreſs of the invaders. In conſequence of the diſcords ſubſiſting between Albany and young Rothſay; or rather probably in purſuance of that policy for the diſcomfiture of an invaſion, which had been now long familiar to the Scots; the duke of

of Albany advanced not nearer with his forces, to engage the enemy. But, Henry with his army, having probably conſumed all thoſe ſtores which their ſhips had brought, were now compelled to think of turning their faces homeward. The country was deſolate; Edinburgh could not be taken: The Scots would neither fight, nor make their ſubmiſſion. What then could he do, more than had been done by his predeceſſors? He led his army backward to England, without having inflicted more than ſome inconſiderable miſchiefs upon the invaded country. His retreat was however ſo performed, as not to be in any conſiderable degree haraſſed by the purſuit of the Scots. And, if he gained by the invaſion, little military glory, and no permanent advantages; he did not however diſgrace his character by ſacrilege and barbarous cruelty, ſuch as former invaders had uſually exerciſed. The churches and monaſteries were ſacred from the violation of his troops. Whoever ſought his protection, from among the petty barons, the burgeſſes, or the peaſantry, without difficulty obtained it. The independency of Scotland was as little impaired by this expedition of Henry the Fourth, as by the ridiculous enterprizes of his great-grandfather, Edward the Second*.

BUT Scotland and the family of its monarch, had enemies within their own boſom, whoſe miſchievous

* Fordun.—Hollinſhed, &c.

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A. D. 1399.

chievous efforts threatened irretrievable ruin to thier proſperity. Robert the Third, now old, and ſtill more and more infirm, became daily leſs and leſs capable of attention to the functions of government. His brother's power, and with it, his ambition were continually augmented by the exerciſe of that delegated royalty with which he had long been intruſted. The haughtineſs, the imprudence of the prince, his impatience of reſtraint, and his jealouſy of his uncle, rapidly grew with his growing years. He beheld with indignation, while his father's authority was engroſſed by the governor. He ſought to form a party for Albany's overthrow. But, being incapable of the artifices, the diſſimulation, the extended and intricate contrivances which would have been neceſſary to the accompliſhment of ſuch a purpoſe, againſt a man of experience, profoundly crafty, and poſſeſſed of almoſt all the efficient power of the ſovereignty; he employed only ſuch means as ſerved to betray his hatred, and to diſappoint it by alarming his adverſary. With this reſentment againſt his uncle, the young prince ſuffered alſo the light and giddy paſſions of untutored, diſſipated youth to prevail over his mind and conduct. His mother, the amiable Annabella Drummond, whoſe maternal counſels had the happieſt influence upon his ſpirit; died at the very ſeaſon when her authority and advice might have been the moſt uſeful to her ſon. To reſtrain the

Prince David ſtarved to death at Falkland.

exceſſes, and regulate the imprudence of the youth, tutors and counſellors were placed about him by his father; but in vain. He was at the ſame time ſurrounded by the ſpies of his uncle; who failed not to report to the governor, every raſh word and act of the young man, with ſuch aggravations as ſpies are wont to uſe, in order to enhance the value of their communications. Even the confidential adviſers and friends of David, finding it at laſt unſafe to attach themſelves to a weak and raſh youth in oppoſition to the diſcerning, crafty, relentleſs, and almoſt all-powerful duke of Albany; began to forſake and betray him. John Remorgeney, in particular, a lawyer, was ſuppoſed to have firſt counſelled David to ſeize his uncle's perſon, and to put him to death in confinement; and then, finding David wanting in the courage or the wickedneſs neceſſary to ſo bold a crime; to have for the ſake of his own ſafety, inſinuated the ſame diabolical counſel againſt the life of the prince himſelf, into Albany's ear. Albany was leſs ſcrupulous. The old and weak-minded King, whoſe mind was perhaps alſo poiſoned with ſome vain ſuſpicions of criminal and aſpiring views in his ſon, granted at the inſtigation of Remorgeney and ſome other ſuch evil counſellors, orders by which the duke of Albany had the ſatisfaction to find himſelf authoriſed to put young David for a time in confinement, and thus to correct by chaſtiſement his tem- A. D. 1399.

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A. D. 1399.

per and his manners. The bird was now in the ſnare of the fowler. David at the ſuggeſtion of Remorgeney and William Lindſay of Roſſy, had been perſuaded to poſſeſs himſelf of the caſtle of St Andrew's, at this time in conſequence of the recent death of biſhop Trail, occupied only by adminiſtrators for the Crown. He was on his way thither, with a few attendants, and unthinking of danger, when the order for the ſeizure of his perſon which had been wrung from his anxious father, was by thoſe very men, executed againſt him, at the immediate command of Albany. He was dragged to the caſtle of St Andrew's; was for ſome days there detained, until Albany and his council then at Culroſs, ſhould determine how to diſpoſe of him; and was, at length, conveyed, in a mean garb, and upon a pitiful horſe to the tower of Falkland, into cloſe confinement. Albany and the young earl of Douglas, with a ſtrong guard to prevent any attempts which might be made to reſcue the royal priſoner; were his conductors from St Andrew's to Falkland. In the tower of Falkland, he was lodged in a ſmall chamber, under the cuſtody of two wretches, Wrycht and Selkirk; who within no long time reported to their maſters and to the world that he had died of a dyſentery. The general belief that he had by them been ſtarved to death, at the command of Albany, was, however, much

much more probable. Such was the unhappy end to which young David was hurried by his own folly, and by the guilty ambition of his uncle! So weak was the King, to reſtrain and to protect his ſon! So dark and criminal were the intrigues concerted even at the ſimple and humble court of Robert the Third*!

A. D. 1402.

THE borderers, in the mean time, Scots and Engliſh, haraſſed one another in continual ſkirmiſhes and inroads. Dunbar, earl of March, ſince his rebellion againſt the Scottiſh King, had aided the Engliſh to inflict many more miſchiefs, and thoſe much more ſevere, upon the Scots of the frontier counties, than the Engliſh themſelves could poſſibly have exerciſed. March, diſhonoured and an exile, was relentleſs in his vengeance, and unwearied in his hoſtilities: the Piercies of Northumberland, eſpecially the impetuous *Hotſpur*, were leaders, by their military talents and their paſſion for unceaſing warfare, peculiarly formidable to the Scottiſh barons who had to oppoſe them. But, theſe barons, among whom the chief was the earl of Douglas, who ſtill held the caſtle of Dunbar, were not negligent to reſiſt, nor ſlow to retaliate the hoſtilities of Dunbar and his Engliſh confederates. Haliburton of Dirlton, conducted a pillaging expedition againſt the Engliſh, in which he and

Rencounters on the borders.

June 22d.

* Fordun:—Boeth.

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A. D. 1402.

and his troop ſucceſsfully advanced to a conſiderable diſtance, into the enemy's country, ſpread devaſtation wherever they paſſed, and returned with a large booty, home. Another ſimilar expedition was not long after led by Patrick Hepburn of Hailes, but with different fortune. Hepburn and his company ravaged and laid waſte with terrible deſtruction, thoſe territories of the Engliſh, through which they paſſed, and might have alſo retreated in ſafety, had not their leader, contrary to the advice of his friends, protracted the time of their ſtay for a day longer than had been originally intended. The earl of March and the warriours of Northumberland thus gained time to take arms, and haſtened to intercept the ſpoilers in their return. On Neſbit-more, the Scots found an Engliſh force, under the command of March, awaiting their approach. Both parties inſtantly ruſhed into conflict: they fought with furious rage, with ſteady firmneſs: the event was long doubtful, yet ſeemed at laſt about to be unfavourable to the Engliſh. Juſt then came up George Dunbar ſon to the earl of March, with a troop of thirty horſes, and on each two riders, to his father's aid. The ſeaſonable appearance of this reinforcement determined the victory againſt the Scots. Hepburn himſelf and not a few of the braveſt of his companions fell: two knights of the name of Haliburton, two of the name of Cockburn, with Robert Lawder of

the

the Baſs, and many gallant eſquires, were made priſoners*. Sect. I. Chap. VII. A. D. 1402.

Such an overthrow was not to be long left unrevenged by the Scots. The earl of Douglas, now poſſeſſing, next after the duke of Albany, the chief authority in the kingdom, was impatient to diſtinguiſh himſelf by leading ſome grand enterprizes againſt the Engliſh. In his hands were the caſtles of Edinburgh and Dunbar; almoſt all the military force of the border-counties, was ready to obey his ſummons. Albany encouraged his ardour; the flower of the young nobility haſtened to ſhare the glory of a grand expedition, upon which Douglas, at the command, or with the approbation of the King and the governor, prepared to go. This hoſt proceeded, rejoicing, upon their enterprize. The bordering parts of Northumberland were without protection againſt their ravages: and they advanced with an exulting, deſtroying career, as far as Newcaſtle. But, Dunbar and the Piercies in the mean while, muſtered their forces, and awaited the return of the ſpoilers, at Milfield. Aſcending the heights of Homildown, on their way homeward, the Scots, with ſudden confuſion, there beheld the Engliſh hoſt, ready in array, to intercept their march. The Engliſh were moved with uncontroulable fury, at ſight of the ſpoilers. Yet, Dunbar, with difficulty, perſuaded the impetuous Hotſpur

* Fordun. XV. 13, &c.

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A. D. 1402. Battle of Homildown.

Hotſpur not to riſk the danger of leading his ſpearmen up the declivity, to attack the Scots on the heights; but only to direct the Engliſh archers with their long bows, to gall the Scots from a diſtance; ſince the Scots were either unarmed with bows, or had bows of which the range was far from being ſo wide as that of the bows of the Engliſh. His counſel was followed; the Scots, unwilling to forego the advantages of their poſition, and to deſcend into the plain, were for a while annoyed with terrible effect. At laſt, the brave Sir John Swinton, unable longer to endure the attack without reſiſtance, called, with a loud ſhout of rage, upon his fellow-ſoldiers, to follow him down the declivity, where, if they ſhould fall, they might at leaſt not fall unrevenged. His voice was heard with ſympathetic enthuſiaſm by all around; inſomuch that Adam Gordon of Gordon, one of the braveſt men in the hoſt, and until now, the mortal foe of Swinton; now eagerly kneeled before his bold adverſary, intreated his forgiveneſs, and requeſted the honour of being inveſted with the enſigns of knighthood by Swinton's hands, as by the hands of the braveſt man within the iſle. No ſooner had this enthuſiaſtic reconciliation between Swinton and Gordon paſſed, than theſe two knights with an hundred brave comrades, who eagerly joined them, ruſhed down into cloſe combat with the Engliſh, in which, after exerting themſelves with incredible valour, and mak-

ing a terrible havock among the enemy, they were themſelves at laſt all ſlain. After their fall, the reſt of the Scottiſh army was eaſily broken and ſcattered in flight. Great was the ſlaughter of the vanquiſhed Scots; and a multitude were made priſoners. Douglas himſelf, the leader of the expedition; Mordac Stewart, eldeſt ſon to the duke of Albany; the earls of Moray and Angus; with a very great number of diſtinguiſhed barons; and indeed all the flower of the Scottiſh hoſt, who outlived the battle, were taken captives*. A. D. 1402.

Piercy ardently purſued his victory into Scotland; and while the Scots amid their firſt conſternation, were incapable of effectual reſiſtance; ravaged the counties contiguous to the border, made himſelf maſter of ſeveral caſtles of inferior ſtrength, and laid ſiege to that of Cocklaws in Teviotdale. Aſſailing this caſtle with the proper artillery, and with all that impetuoſity which he had exerciſed in the field, he ſoon made ſuch an impreſſion upon it, as convinced the garriſon, that, if not relieved, they muſt be quickly brought to a ſurrender. The fears of the garriſon on the one hand; and on the other, their gallant defence which in ſpite of all Piercy's efforts, retarded beyond his expectation, the final ſucceſs of the ſiege: Theſe circumſtances together, diſpoſed both parties to deſire a ſhort truce.

* Fordun.—Hollinſhed.

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truce. A truce of six weeks was agreed upon, under this condition, that if the garrison were not within that time relieved by aid from Scotland, the castle should then be delivered into the hands of the English. Piercy's ambition and resentment, in the mean time, drove him into rebellion against his own sovereign; and the prosecution of the siege of the castle of Cocklaws was forgotten. The duke of Albany mustered an army, marched southward against the English, while they were no longer ready to oppose him, relieved the garrison of Cocklaws within the term specified in the truce, and recovered all those places which had been yielded to Piercy, in consequence of his victory at Homildown. These successes of Albany in part consoled the nation for the late disaster*.

A. D. 1402. Hotspur turns from the Scottish wars to a rebellion against his sovereign.

Meanwhile, the Piercies had taken arms, and marched in hostile array against their king. Not many years had elapsed, since the earl of Northumberland, with his brother and sons, had been the first to join the duke of Hereford in his attempts against King Richard, and throughout the enterprize, the most ardent to push it to its full accomplishment in the deposition of Richard, and the exaltation of Henry upon his throne. Honours, offices, estates bestowed with royal liberality, had rewarded those seasonable and guilty services of the

* Fordun.—Hollinshed.

the Northumbrian chiefs. But, from benefactors, they knew not how to descend to the humble submission and obedience of subjects: remembering, that but for them, Henry had not been a King; they seemed to fancy, that he ought to reign only for the purpose of gratifying their wishes, and making himself subservient to their interests: he could not grant every thing, nor could they endure refusal. A mutual coolness soon ensued between those who had been once most closely knit together: Henry became jealous of the greatness and pride of the Piercies; and they became suspicious of his designs against their safety. Their successes against the Scots; his severity to some of their relations; and at last his demand of the prisoners they had taken at Homildown, and Hotspur's angry refusal; brought matters to an extremity between those potent barons and their sovereign; and drove *them* into open rebellion. No sooner had the Piercies taken their resolution than they conciliated the alliance of their Scottish prisoner, the earl of Douglas; relinquished the prosecution of hostilities against the Scots; by correspondence with Owen Glendower, fomented a rebellion in Wales; solicited, and not without success, many of the other northern English barons to join them; and then with one army of about twelve thousand men, which was to be followed by powerful reinforcements, young Piercy marched to meet his

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A. D. 1402-20

The rebellion of the Piercies defeated.

King in battle at Shrewſbury. A bloody battle was there fought, in which Douglas fighting on the ſide of Piercy his former antagoniſt, diſtinguiſhed himſelf by acts of matchleſs valour; Piercy fought with the moſt heroic intrepidity; and by both armies the conteſt was obſtinately and equally maintained, till Piercy fell, mortally wounded by an unknown hand, and his followers then confounded by his fall, and thinking it vain to renew the combat; gave way, and fled on all hands. The rebellion was prolonged by ſome ſubſequent attempts of the old earl of Northumberland and the other confederates. But Henry at laſt triumphed over all his rebel-barons, reſtored his authority throughout all the counties of his kingdom, and drove the ſurviving Piercies to ſeek refuge in Scotland*.

Influence of theſe events on the condition of the Scots.

This civil war in England greatly weakened the ſtrength of the Engliſh on the borders; and notwithſtanding the captivity of ſo many of the Scottiſh nobles, virtually reſtored to the Scots thoſe advantages which they had loſt by the unfortunate event of the battle of Homildown. While the Piercies ſought aid out of Scotland againſt their ſovereign; Henry was glad to pacify the hoſtility of the Scots by a truce which might for a time ſave the northern diſtricts from their inroads. The Scots,

* Hollinſhed:—Fœdera VIII. 289. 292. 313, 314. 320. 322, &c.—J. Major. Lib. VI. C. 8.

Scots, to recover ſome of their nobles from captivity, were not unwilling to ſpare the Engliſh in the ſeaſon of their inteſtine calamities.—The fall of the Piercies was fortunate to the Scots: for, that greatneſs to which they had ariſen, had proved a bulwark to England, againſt Scottiſh invaſion; and by their ruin, this bulwark was beaten down*. A. D. 1402-28.

ROBERT the Third had many years ſince ſunk into all the bodily infirmity, and the weakneſs of mind, incident to extreme, old age; although he had not yet attained to that very advanced term of life. His parental affections ſurvived the vigour of his underſtanding. The unhappy death of his eldeſt ſon, David, left a deep and afflicting impreſſion upon his mind. He lamented the follies of the unfortunate youth; bitterly reproached himſelf for having ſo eaſily yielded to put him into the power of his enemies; regarded Albany with abhorrence and dread, as the enemy of the lives of his children, the murtherer of his ſon, and yet too potent to be puniſhed, or even to be removed from that adminiſtration of the government which he had ſo long exerciſed. James, the King's ſecond ſon, ſtill ſurvived, but was too young to guard his own life againſt his uncle's arts; if Albany were indeed diſpoſed to open for himſelf, acceſs to mount the throne, by the murther of his brother's child. Trembling under theſe fears, Robert determined to ſend

* Fœdera VIII. 321.

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A D 1402-20.

ſend the prince abroad to France, where he might receive the education befitting his high hopes, and might remain in ſafety at the court of a faithful ally, until he ſhould attain the full maturity of manhood. It was in the proſpect of his own ſpeedy diſſolution, that Robert contrived this ſcheme for the ſafety of his ſon; for he was willing rather to abandon the kingdom for a while after his deceaſe, to the ſway of his brother, than to leave the life of its heir alſo at his mercy. At the command of the King therefore, but without his brother's knowledge, Sinclair, earl of Orkney, with a ſuitable number of attendants, prepared to conduct the prince to France. A company of gallant Scottiſh gentlemen eſcorted them to the Baſs, where they for ſome time waited an opportunity to ſail. They ſet ſail; but alas! before they could begin to hold away from the Britiſh coaſt, were unfortunately intercepted by an Engliſh ſhip of war, and in their veſſel, were with their prince, carried, as priſoners, into Flamborough-Head*.

Prince James of Scotland taken priſoner by the Engliſh.

The news of the captivity of his ſon, quickly reached the ears of good King Robert. A truce at this time ſubſiſted between England and Scotland. But, for ſuch a prize as the Scottiſh prince, the Engliſh monarch could without ſcruple violate his plighted faith. Robert, already near to the cloſe

* Fordun. L. XV. C. 18:—J. Major. L. VI. C. 8:—Buchanan. L. X:—Leſl. res geſtæ. P. 257.

cloſe of his life, could not ſupport the idea of the fruſtration of his parental care, and the perhaps perpetual captivity of his only ſon. He languiſhed for a few days, and then expired, in his caſtle of Rothſay in the iſle of Bute, in the year one thouſand four hundred and ſix, the ſixteenth of his reign. Bodily infirmities, and the indolence of his diſpoſition had withdrawn him from almoſt all public affairs, ſince a period even prior to his acceſſion to the throne. During his whole reign, the government was adminiſtered almoſt excluſively by the duke of Albany and the earls of Douglas. He was tall, ſtately, and graceful in his perſonal form. His manners were gentle and amiable: ſo far as he was at all capable of reſolution and exertion; his conduct was humane and virtuous: but the feebleneſs of his character, hindered his virtues from being eminently beneficial to his kingdom*.

* Fordun. L. XV. C. 19.

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A. D. 1406-23.

Chapter VIII.

From the death of Robert the Third, to the return of James the First, from his captivity in England.

State of the government after the death of Robert the Third.

No change in the adminiſtration of the Scottiſh government, enſued from the death of the King, while his ſon and heir was abſent in captivity. Albany continued to exerciſe without controul, that authority which had long been in his hands: the nobles acknowledged him regent of the kingdom, and profeſſed to obey him, but lived every one notwithſtanding, on his own eſtates, in a condition of almoſt entire independence: the diſtant clans of the Northern Highlands and the Hebudian Iſles, ſtill contemned the powers of government, as they had done before: with the Engliſh, a war of ſkirmiſhes and incurſions continued to be ſtill, from time to time, carried on*.

Capture and demolition of Jedburgh caſtle.

After various enterprizes of mutual hoſtility, in which neither nation gained any important advantage; the Scots at laſt made themſelves maſters of the caſtle of Jedburgh, which had remained in the poſſeſſion of the Engliſh, ever ſince the unfortunate battle of Durham. It was diſmantled and

* Buchanan. L. X. &c.

and levelled to the ground; a labour which could not be effected without great difficulty, on account of the maſſineſs of its walls, and the almoſt rocky coheſion of the cement with which they had been built. The reſtoration of the forfeited earl of Dunbar to his eſtates and honours, ſoon after followed. He had made his peace with Archibald earl of Douglas, the moſt potent of his enemies: The prince whoſe marriage had offended him; the King againſt whom he had riſen in rebellion, were no more: Albany was deſirous to conciliate to himſelf and his own family as general favour as poſſible among the nobility: And the ſervices of the Dunbars and their adherents were ſtill greatly wanted for the defence of the eaſtern marches. Within no long time after the Dunbars were reſtored to the poſſeſſion of the earldom and caſtle of Dunbar; Faſtcaſtle was recovered out of the hands of the Engliſh by a maſterly and boldy executed ſtratagem of Patrick Dunbar, the earl's ſon. Holden, its captain, who had long annoyed the Scots with ſingular activity both by ſea and land, was fortunately made priſoner*.

A TEMPEST ariſing from the northern extremity of the iſland, ſoon after threatened to ſpread devaſtation far and wide over the Scottiſh territories. Donald, lord of the Hebudian Iſles, claiming the earldom

* Fordun. L. XIV. C. 21.

Sect. I. Ch. VIII.

A. D. 1406-23.

earldom of Roſs in inheritance, had his claims refuſed by the Regent. He reſolved to right himſelf by force of arms, took poſſeſſion of Roſsſhire, and then deſcended with an army of ten thouſand men, levied out of Roſs and the Hebudæ, to invade and ravage the diſtricts lying ſouth and eaſt from the territories of which he was lord. At Harlaw in Marre, he was oppoſed by the earl of Marre, the ſheriff of Angus, and all the troops which they could aſſemble to oppoſe the invaſion. A deſperate and bloody battle was there fought, with terrible ſlaughter on both ſides, but ending in the defeat of the invaders. The Regent himſelf having aſſembled a numerous army, ſoon after purſued Donald to his caſtle of Dingwall in Roſsſhire; took that caſtle in the end of autumn; and in the enſuing ſpring returning with his forces to perfect the object of the expedition, reduced the iſland-chieftain at laſt to entire ſubmiſſion; compelling him to do homage, to ſwear allegiance, and to give hoſtages*.

Battle of Harlaw.

During the reign of Henry the Fifth, who had now ſucceeded his father, Henry the Fourth, on the Engliſh throne; France was again the great theatre of the military adventures of the Engliſh. The unhappy alienation of mind under which the French King, Charles the Sixth, occaſionally laboured;

* Fordun. XV. C. 21:—J. Major. Lib. VI. C. 10:—Buchanan. Lib. X.

boured; and the diſſenſions with which his nobles diſtracted the court and kingdom; invited Henry of England to ſeize ſo favourable an opportunity of renewing thoſe claims which Edward the Third and his brave ſon the Black Prince had fruitleſsly, although glorioufly, purſued, at an immenſe expence of blood and treaſure. On the Scottiſh confines, therefore, the Engliſh unwillingly ſuffered the uſual hoſtilities to languiſh. The Scottiſh Regent, and the other nobles of the kingdom, amid their anxiety to recover from captivity their ſons and relations whom the defeat at Homildown had left in the hands of the Engliſh; were willing to pauſe, for a time, from that eternal warfare which the Scots ſeemed to be doomed to exerciſe againſt their ſouthern neighbours. France ſolicited the aid of the Scottiſh warriours, and fondly received thoſe unquiet and martial ſpirits from Scotland, who, being capable to enjoy life only amid the ardour and the perilous activity of war, impatiently haſtened to ſeek thoſe military enterprizes abroad, from which they were for ſome moments withheld at home. But, the French were themſelves too completely occupied in their own country, to ſend any forces into Scotland for the purpoſe of exciting the Scots to the infraction of their truces with the Engliſh, and of aiding them in the invaſion of the Engliſh territories. Nay, the young King of the Scots himſelf, however careleſs his uncle, the Re-

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Intercourſe with England.

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gent, might be of his perſonal welfare, was, nevertheleſs, from the conſideration that the eyes of all the Scots were turned towards him, a pledge in the hands of the Engliſh monarch; poſſeſſing which, he might aſſure himſelf, that no very formidable hoſtilities would be, in the mean time, atchieved by the Scots againſt England. Some petty acts of warfare were, however, mutually exerciſed, in the courſe of this period, between the two rival nations. Douglas liberated from his captivity; and having obtained the earldom of Annandale, in exchange for the caſtle of Dunbar, ſurrendered to its ancient lord; made an inroad into the weſtern counties of England, and burnt the town of Penrith. The injuries of this inroad were ſoon again retaliated by the Engliſh, in an expedition in which they waſted Annandale and Nithſdale, and deſtroyed, by fire, the town of Dumfries. Haliburton of Faſtcaſtle made himſelf maſter of Werk-caſtle in Northumberland, by a ſudden ſtratagem. But, Sir Robert Ogle, with a conſiderable Engliſh force, coming, ſoon after, againſt it, ſent ſome of his men to ſcale the walls upon one ſide, while he himſelf amuſed the Scots within, with a parley on the other; and having thus treacherouſly recovered the caſtle; put to death all the Scots within it, and threw their dead bodies ignominiouſly from the walls. By ranſom or by exchange, moſt of the Scottiſh nobles whom the battle of Homildown had made priſoners

ers to the Engliſh, were, at length, recovered to the ſervice of their country. Murdac, the Regent's eldeſt ſon, was liberated in exchange for Henry Piercy the ſon of Hotſpur, whom his grandfather had brought into Scotland for refuge from the wrath of Henry the Fourth; who had been detained in Scotland a priſoner, yet at the ſame time liberally entertained, and carefully educated; and whom the returning favour of Henry the Fifth now recalled into England for the purpoſe of reſtoring him to the honours and poſſeſſions of his forefathers. An effort was made by the earl of Douglas, at the head of one diviſion of a numerous army, to wreſt the town and caſtle of Roxburgh out of the hands of the Engliſh; while the Regent himſelf, with the other diviſion of the ſame army, laid ſiege to Berwick. But, by whatever means, both theſe attempts were fruſtrated, and the leaders and their followers returned home with the diſgrace of having atchieved nothing worthy of the preparations they had made, and the expectations which they had excited*.

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IT was, comparatively, a period of tranquillity and rich plenty which the Scots, in the mean time, enjoyed at home. Free from thoſe invaſions which had haraſſed their country in the days of Robert and of David Bruce; they could feed their flocks and

* Fordun. XV. 23. 31:—Fœdera, VIII. 345. 457. 635:—Hollinſhed, 545, &c.

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and herds, plough their fields, and inhabit their cottages in peace and ſafety. Excurſions, inroads, and ſkirmiſhes, upon the borders could not depopulate and lay waſte the land, as thoſe invaſions had done, which penetrated into its interior parts, and almoſt to its remoteſt northern extremities. Epidemical diſeaſes, at times, cut off the people in multitudes; tempeſts occaſionally deſtroyed the hopes of the harveſt; famine added its evils in ſome ſeaſons, to the ordinary miſeries of rude life: But, as in the days of the two former monarchs of the Stewarts race, ſo in the period while Albany was Regent, and his nephew James a captive in England; wealth ſeems to have been continually augmented, and the condition of ſocial life improved in Scotland. Yet, frequent feuds ſtill aroſe among the clans, and the families of rival barons. People who knew no trade but war, were ever ready to draw their ſwords; and while they fancied that they well knew how to right themſelves when injured, conſtantly ſcorned the interference of public juſtice for the ſettlement of their differences. A remarkable inſtance of this ſpirit was exhibited in the murther of Graham earl of Strathern, by his vaſſal Drummond of Concraig; who, in violation of friendly vows which had been recently exchanged between them, and of the ties of brotherhood contracted by the marriage of Drummond to the ſiſter of Graham; baſely aſſaſſinated the

Inteſtine diſturbances.

the earl at the town of Crieff in Strathern. In the distant Highlands, private wars were inceſſantly waged, and rapine and aſſaſſination were ſtill mutually exerciſed between rival clans. In the year fourteen hundred and ſix, a famous engagement of this nature, was fought on the confines between Roſs and Sutherland, by a band of the Mackays from Sutherland, purſuing a company of the Macleods of Lewes, who had ſpoiled their country. The widow of Mackay being alſo the ſiſter of Macleod of Lewes, was unkindly uſed by his brother whom he had left tutor to his children. Her brother Macleod coming to viſit her and redreſs her wrongs, ſpoiled a wide diſtrict in Sutherland, chiefly the property of the Mackays, in revenge for the injuries done to his ſiſter. He was purſued on his return towards his own iſle by the men of Sutherland. A deſperate conflict took place; Macleod with his company were ſlain; and the Mackays returned exulting in the deſtruction of their foes, and ſcornful of all efforts which the governor and his officers might be excited to make for the puniſhment of the diſorderly turbulence of either the victors or the vanquiſhed*.

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Other diſcords were, in the ſame period, excited in Scotland, by ſchiſms in religion, and by ambitious conteſts among the princes of the Romiſh

Religious perſecutions.

* Fordun:—Conflicts of the Clans.

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miſh hierarchy. The conqueſts of the barbarians, by whom the Roman Empire was overthrown, long ſuſpended by their malignant influence, every thing like literary and ſcientific purſuits, even in the convents of the clergy, the only ſchools of learning which were left in Europe. It was not until thoſe barbarians had been univerſally converted to Chriſtianity; till after Charlemagne had again comprehended Germany, France, and Italy, in one empire; till the Romiſh hierarchy had diffuſed itſelf in full vigour over all the weſtern world; till the cruſades had renewed the intercourſe between the eaſt and the weſt; that learning and ſcience began to be revived in the ſchools of the Romiſh monaſteries. They were revived in the forms of theology, amuſing herſelf with diſquiſitions into the nature of God, angels, and ſinful man;—of caſuiſtry and eccleſiaſtical juriſprudence, defining the different meaſures of crimes and atonements, and maintaining and exerciſing the authority and privileges of the church;—of dialectical logic borrowed from the Arabians, and the modern Greeks;—of legendary lore, commemorating tales of viſions, miracles, combats, enchantments, and whatever elſe could excite wonder, or impoſe upon credulity;—of ſcriptorial diligence, multiplying the copies of books, which had been preſerved from antiquity, or recently compoſed;—of civil law drawn from the recovered collections

collections of Juſtinian, and eagerly cultivated for the improvement of the policy of modern Europe. That ſtability of exiſtence which the kingdoms of Europe, and the hierarchy of Rome gradually acquired, ſoon aided and protected this revival of ſcience and learning. The neceſſity of employment in the many monaſteries in which ſuch a multitude of eccleſiaſtics were ſecluded from intercourſe with the world, drove many among them to ſeek in the purſuits of literature, a relief from the tædium of indolence and ſolitude. They meditated and diſputed, and wrote, and preached, until they began to ſtrike out ſome ſparks of genuine light, amid the thick mental darkneſs in which they were immerſed. Some of their firſt diſcoveries were naturally in that theology in which they were more converſant than in any thing elſe. It began to be diſcerned that religion had degenerated during the preceding ages, into groſs and abſurd ſuperſtition. The Albigenſes in France; in Germany, more lately, John Huſs and Jerome; and in England, the famous Wickliffe; had begun to proteſt againſt the uſurpations of the hierarchy, and the abſurdities of the Romiſh ſuperſtition. Wickliffe himſelf had been ſuffered to live and die in peace. But, the ſimplicity of the goſpel to which he ſtrove to reduce the doctrines and the worſhip of Chriſtianity, was too inconſiſtent with the prevalent forms and opinions, not to

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alarm and enrage the clergy. His followers were eagerly perſecuted; their heretical opinions were ſoon connected with crimes againſt their ſovereign and the ſtate; the ſincerity of their faith was tried, and their opinions were in vain endeavoured to be extirpated at the ſtake, the block, and the gibbet. From England, even amid the wars which divided the two nations, the hereſy of Wickliffe found its way into Scotland. In Scotland, as in England, the zeal of the clergy ſoon ſprang, with eager fury, to ſuppreſs it. James Reſby, an eccleſiaſtic, originally from England, having, with great applauſe, taught in Scotland, the doctrines of Wickliffe, and, in particular, that the Pope was but a *pretended* vicar of Chriſt; and that none but a man of holineſs in heart and life, could be either Pope or Vicar of Chriſt; was ſummoned before an aſſembly of the clergy, convicted of Lollardiſm, and condemned to die for his hereſy. This trial was remarkable, as being the firſt endeavour made in Scotland, to extinguiſh the kindling flame of religious reformation, which was not yet to break forth with any ſtrong ardour. But, it ſerved not to deſtroy the lurking ſeeds which Reſby's preaching had ſown; for theſe were fondly cheriſhed among the people, and continued to be preſerved, till the ſuperſtitions of Rome were more completely ripened for their overthrow*.

Nor

* Fordun. XV. 20, &c.

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A. D. 1406-23. University of St. Andrew's founded.

NOR was this the only important eccleſiaſtical tranſaction that took place in theſe times. The Univerſity of St Andrew's, was, in the year one thouſand four hundred and ten, founded by the venerable biſhop Wardlaw. Miſſionaries ſent from the general, eccleſiaſtical Council of Conſtance, and from the two rival Popes, Benedict and Martin, of whom the former was depoſed, the latter exalted by that council; came to engage the Scots to take part in a quarrel which had already divided almoſt all the reſt of Europe. Albany himſelf was inclined to adhere to the cauſe of Benedict, who had been before reverenced and obeyed, as Pope. At the command of the Regent, Robert Harding, a maſter in theology, undertook to maintain the cauſe of Benedict. Againſt Harding, and in ſupport of the authority of the Council of Conſtance, and the validity of Martin's election, the whole Univerſity of St Andrew's, aroſe with one voice. The clergy and laity of the kingdom, were divided into two parties. An aſſembly of the national church met at Perth, to decide in a matter of ſuch magnitude. Harding there ſtrenuouſly maintained that cauſe of which he had already aſſumed the defence: He was no leſs vigorouſly oppoſed by a monk of the name of Foggo. His poſitions were at laſt condemned: The Univerſity of St Andrew's, the Council of Conſtance prevailed; and the Scots transferred their veneration from Benedict to Martin*.

* Fordun. XV. 24.

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A. D. 1406-23. Affairs of France.

While theſe tranſactions paſſed in Scotland; Henry the Fifth of England was, in France, purſuing a career of victories, more glorious even than thoſe which his great-grandfather Edward the Firſt, and his grand-uncle the Black Prince, had atchieved in the ſame land. Many gallant Scots had already repaired, with heroic eagerneſs, to the aid of the ancient allies of their nation, and had ſignalized themſelves in the war by many illuſtrious deeds. But aid more powerful was yet wanted to avert the fall of the French monarchy. At the earneſt requeſt of the King of France and his miniſters, the Scottiſh Regent diſpatched his own ſecond ſon, John, earl of Buchan, with young Archibald Douglas, earl of Wigton, at the head of ſeven thouſand choſen men, to wreak their hatred againſt the Engliſh in that foreign land, and, if poſſible, to fruſtrate Henry's ambitious hopes of conquering France. Henry had, however; partly by the incredible ſucceſſes of his arms, particularly in the famous battle of Azincour, partly by the diſloyalty and diſſenſions of the French nobles; reduced the French King to accept ſuch a peace as he choſe to dictate, before the French could derive any effectual ſupport from the aid of their Scottiſh allies. Yet, the Dauphin, the eldeſt ſon to the King of France, finding himſelf not only excluded from the benefits of the treaty, but by its conditions wholly bereft of his expected inheritance, ſtill prolonged the war even againſt his

his father's miniſters as well as the Engliſh, with deſperate, and, for a while, unavailing efforts. To him the ſuccours of the Scots were as aid from heaven. He eagerly engaged them to eſpouſe his cauſe, honoured their chiefs with the higheſt commands in his armies, and the prime confidence in his councils, and began fondly to hope that the Engliſh muſt yet yield to the Scots, by whom they had been accuſtomed to be conquered. Nor were his hopes diſappointed. Henry the Fifth dying prematurely by diſeaſe, the ſame diſſenſions and diviſion of counſels which had ruined the affairs of the French King, now conſpired to ſubvert the proſperity of the Engliſh arms, during the minority of Henry the Sixth. At this very period, the powerful aid of the Scots enabled the French to make new efforts, of which they could not otherwiſe have been capable. The tide of ſucceſs was turned; and in ſpite of the moſt heroic atchievements by thoſe veteran warriours who had fought under Henry the Fifth; the Engliſh became every day more unfortunate; and their victories in France were rapidly blaſted by a reverſe ſimilar to that which had ſtill overthrown their power in Scotland. At Beaugé, Stewart, Douglas, and the Scottiſh troops under their command, with ſome detachments of French ſoldiers, obtained a ſignal victory over the Engliſh, by which the aſpect of the affairs of the French, was conſiderably improved. At Verneuil, however, an army of

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Battles of Beaugé and Verneuil.

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of fourteen thouſand men, of whom one-half were Scots, and which was led by Stewart and Douglas, with ſome French noblemen ſerving under them; after performing the important ſervice of capturing that town; riſked an engagement with an Engliſh army equal in numbers; and were totally routed with a great loſs; though not without performing many acts of the moſt heroic valour. That fame ſuperiority of the Engliſh archers which had determined the event of the battle of Homildown, obtained them alſo the victory at Verneuil. Stewart, and the earl of Douglas, fell in the action: many of their valorous followers ſhared their fate. Such a misfortune ſeemed, for a time, to threaten abſolute ruin to the cauſe of Charles. But, the famous Joan of Arc ſoon aroſe to inſpire the French with new ardour in defence of their country's independency; the ſurvivors, and the new reinforcements of their Scottiſh allies, were ſtill the foremoſt to brave every danger, to encounter every difficulty: And as the conqueſts of the Engliſh continued to be wreſted from them, piece by piece; and as the young King of France proceeded to reeſtabliſh himſelf ſtill more and more firmly on the throne of his fathers; the French ſtill gratefully remembered that, had it not been for the ſeaſonable aid of the Scots, the Engliſh might have, at the firſt, ſo effectually fixed their authority over vanquiſhed, bleeding France, that all future efforts to reſcue it

it from their oppreſſion, ſhould have been fruitleſs*.

Progreſs of Scottiſh affairs.

In Scotland, in the mean time, there were carried on, hardly any remarkable tranſactions, military or civil. The abſence of the flower equally of the Scottiſh and of the Engliſh warriours, precluded the poſſibility of any great military enterprizes on the marches. The captivity of James was ſtill prolonged; while his uncle was little anxious to ranſom a nephew, whoſe return into his own country, muſt diveſt the Regent of his office and power; and the Engliſh conceived it uſeful to unnerve the hands and diſconcert the counſels of the Scots, by detaining from them a young monarch who had already appeared to be endowed with the moſt diſtinguiſhed talents for the arts of both war and peace. In vain, however, had the Engliſh attempted to detach the Scots from fighting in ſupport of their French allies, by perſuading James to impoſe upon the earl of Buchan and his companions, his commands to that purpoſe. The Scots indignantly refuſed to yield ſuch obedience to a King who was the captive of their enemies.—At length, in the year one thouſand four hundred and nineteen, died Robert, duke of Albany, earl of Fife and Menteith, and governor of Scotland. Since the period almoſt

Death of the duke of Albany.

* Fordun. XV. 31. 33.—Hollinſhed, Henry V. and VI. to P. 588, &c.—J. Major, Fo. 127.

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moſt of his father's acceſſion to the throne, the adminiſtration of the government of the kingdom had been in his hands. More politic, more active, more capable of deciſion and energy, than either his father or his elder brother; he had approved himſelf, during all this time, the main ſupport of the fortunes of the houſe of Stewart. To his nephew David, his conduct was perhaps unjuſtifiably treacherous and cruel. But, the young man's follies had already loſt to him the favour of the nation; his dreaded intentions againſt the power and perſonal liberty of his uncle were either to be prevented, or to be tamely ſuffered to take effect; and the ſituation in which the duke of Albany, at that time, ſtood, in regard to the family of his brother, and the hopes of the throne, was one above all others fitted to tempt a man of wavering virtue, to the dark crimes of ambition. Whatever his purpoſes when he caſt young David to periſh by famine; whatever his brother's fears, when he ſecretly ſent young James out of the kingdom: Certain it is, that Albany from the departure and captivity of James; whether repenting of the effects of his guilty ambition, or believing that he had done enough to ſecure to his own ſons the ſucceſſion to the royalty; did not vigorouſly follow out thoſe views which he had once been ſuſpected to entertain. He adminiſtered the government; he left James to languiſh in captivity; but he

he took no other meaſures to transfer the Crown to himſelf and his ſons. Albany was ever a favourite with he nation, over which he ruled. The ſtately form of his father and brother, the ſame pleaſing features, in his old age made more venerable by ſnow-white hairs, graced his mind with an exterior aſpect, not unbecoming the exaltation of ſovereign command. His temper was gentle and mild; his manners courteous and affable; that diſſimulation which is often accounted among politicians, equivalent to talents and virtues, was rather a prominent feature in his character: Crimes and diſorders which he had not power to puniſh or reſtrain, he was accuſtomed ſeemingly to overlook, until the ſeaſon arrived when the energies of government could be effectively exerciſed againſt them. In this age, when boundleſs hoſpitality to their vaſſals and retainers, was eſteemed the firſt pacific virtue by which the character of a prince or great baron could be adorned; Albany was hoſpitable, and ſplendidly liberal in his expences, above every contemporary Scottiſh baron. He died at a good old age, having ſurvived beyond the term of eighty years. He was buried at Dunfermling in the uſual repoſitory of the remains of perſons belonging to the family of the Kings of Scotland. In addition to the other excellencies attributed to his character, it is related, that his abilities ſhone in converſation and debate; there was in his words a

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charm of chearfulneſs and inoffenſive wit, which made wiſdom flow from his lips, mended by the graces in which he arrayed it*.

Adminiſtration of Mordac.

To Robert duke of Albany, his eldeſt ſon Mordac ſucceeded in the vicegerent government of the kingdom. But, the reins of government which had been exceedingly ſlackened in the hands of Robert, ſeem to have dropped almoſt entirely from Mordac's graſp. Before his father's death, Mordac had already paſſed the prime of his faculties and of his age. His talents had never equalled thoſe of his father. The nation became impatient of the ſway of the family of Albany, and almoſt univerſally longed for the return of their young King out of his captivity. In reſpect to intercourſe with France, Mordac purſued the ſame policy, and exerciſed the ſame ſteady faith which his father had exerciſed. New reinforcements were ſent to fight the battles of the French againſt the Engliſh; new adventurers were encouraged to repair in ſearch of diſtinction in arms, to that theatre of danger and of martial glory. But, in the adminiſtration of the domeſtic government, Mordac ſoon became altogether contemptible. He had three ſons, Walter, Alexander, James; boiſterous, paſſionate, imprudent young men, who ſcorned the feeble character of their father: thought themſelves to be, in

* Fordun. XV. 37, &c.

in consequence of their relation to the Crown, above all law and restraint; yet reflected not, that the elevation of their rank necessarily imposed upon them duties proportionately arduous and important: who aspired to exclude the rightful prince from the throne from which he was now withheld by captivity; yet disdained to practise those active and popular virtues which might perhaps have reconciled the nation to their usurpation of his rights. Throughout every district of the kingdom too, the same licence prevailed, as within the governor's family: the order of law was slighted and violated, because its sanctions could not be enforced. The chieftain of the Hebudian Isles disregarded the authority of the Scottish Regent. While the flower of the noble youth, and even the most eminent from among those of maturer years, were absent in France: there was none at home, whose personal gravity and influence might have happily supplied what the Regent wanted, to support the dignity of the law and of the kingly office. The bands of society were loosened; and that general disorder which had preceded the æra of the accession of Malcolm Canmore, seemed to be fast returning*. SECT. I. CH. VIII. A. D. 1406-25.

IN these circumstances, the eyes, the hopes, the wishes of all the Scots, were turned with one accord towards England, and their captive prince. Mordac recalls James from captivity.

* Fordun. XV. 37:—Major. Lesl. Buchanan.

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It is related, perhaps not ſo much in certain, unqueſtionable truth, as becauſe ſome ſuch ſtriking anecdote might be eaſily and naturally connected with the circumſtances; that Mordac was at laſt moved to open a negociation for ranſoming his ſovereign from captivity, particularly by one act of ſingular inſolence with which this weak and imprudent father was abuſed by his eldeſt ſon. The matter was a trifle, although the paſſions on both ſides were furiouſly high. Mordac had a favourite falcon; and in this age, ſuch birds were among the moſt coſtly objects of the ſportive amuſements of the great. Often, but ſtill in vain, had his eldeſt ſon, Walter, begged the favourite bird from the trifling old man. At laſt, the ungracious youth, reſolving that his father ſhould not himſelf long enjoy what he would not beſtow upon him, ſnatched the falcon from his father's hand; for it was uſual to carry theſe birds about, perched upon the fiſt of the owner; and twiſting about its neck, put it to death, before Mordac's eyes. This was not to be borne by a father of Mordac's caſt of mind. He vowed, that inſtant, to bring home James out of captivity, whoſe return would at once diſappoint the hopes, and reſtrain the inſolence of this rebellious ſon. The angry reſolution of the Regent, concurring fortunately with the earneſt deſire of the people, was eagerly encouraged by the moſt eminent barons, who had acceſs to his councils.

cils. An embaſſy was quickly diſpatched into England, for the purpoſe of negociating the releaſe of the young Scottiſh King. Happily for the ſucceſs of their negociation, the miniſters who now in the minority of Henry the Sixth, conducted the government of England, were already well inclined to liſten to any reaſonable propoſals for the ranſom of James. While their captive, he poſſeſſed no authority among his own ſubjects; could not hinder the Scots from fighting under the banners of France, to ſave that ſinking ſtate; could not bring a ſingle county of Scotland to ſubmit to the immediate or paramount dominion of the Engliſh Crown. On the other hand, having been liberally entertained in England, having married a wife who was allied to the Engliſh ſovereign, having adopted the manners of the people, and even acquired a local partiality for the very country; it might be that James, if ſet at liberty, and reſtored to the throne of his fathers, would, like his predeceſſor, David Bruce, continue ever after the faſt friend of the Engliſh. James himſelf ſo behaved as artfully to encourage theſe fond expectations in the minds of his hoſts. For the ſum of an hundred thouſand merks, partly paid, and partly promiſed, under the ſecurity of hoſtages, the Engliſh liberated James from the tedious, but not unuſeful captivity, in which he had ſo long lived among them.

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them. He returned home, without having trammelled himſelf in any ſuch engagements, open or ſecret, as thoſe which had fettered the hands of David Bruce in the latter years of his reign, and had made one of the moſt amiable of princes and of men, odious to a great part of his own ſubjects*.

* Fordun. XVI. 1:—Fœdera, &c.

BOOK

Sect. II.
A. D.
1330-1425

BOOK IV.

Section II.

History of the LABOURS, KNOWLEDGE, *and* ENJOYMENTS *of the* SCOTS *in the* FOURTEENTH *and in the beginning of the* FIFTEENTH *century.*

Reflections on the slow progress of manners.

How slow the progress, how almost imperceptible to the eye of the contemporary observer, are the fluctuations of science, industry, arts, and manners, in any country: They are as the changes on the face of nature, as the alterations in the familiar scenes of private and domestic life. The hill which bounds the prospect from the windows of my ordinary dwelling, the wood that shelters it behind, the river which meanders down the bordering vale, the ragged wild shrubbery scattered over the declivities, seem to my eyes to be still the same to-day as they yesterday appeared, to frown on each returning winter with the same desolation and gloom, to smile, each succeeding spring, with the same laughing bloom and verdure, as on the last. Such is the seemingly unchanging aspect which the scenes of nature present to the eye of him who constantly lives within the same narrow space, and views still the features of one landscape with the same

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ſame familiar ſurvey. But let him wander for a few years from his wonted haunts. He returns; and all is changed. He has not witneſſed the imperceptible gradations of the change; and it, therefore, ſtrikes his obſervation with the more complete effect. To thoſe with whom he is ordinarily preſent, the boy ſeems ſcarcely to grow in ſtature, or to improve in knowledge: Yet, when he returns, even after a few months abſence, from a diſtant ſchool, to meet the eager embrace of his fond parents; how exceedingly altered does he appear! His looks, his voice, his figure, his ſtature, his manners, are, ſtrikingly, no longer the ſame. Thus alſo, while we have continued to proſecute the hiſtory of the national tranſactions of the Scots; the men of the land, the arts, the manners, the government, have ſcarcely ſeemed to alter before our eyes, during the whole courſe of the fourteenth century. But, chuſing again a ſtation for retroſpect, and looking back upon thoſe ſcenes through which we have travelled onward; we ſhall, aſſuredly, diſcover that endleſsly varied diverſity, which, amid our progreſs, has, in ſome degree, cheated our view.

And yet, in ages, like theſe, of ſimplicity and barbariſm, the changes, whether of deterioration or of improvement, which are accompliſhed on the face of ſocial life; are much leſs rapid, and leſs conſiderable

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conſiderable, than in times and countries of high refinement and civilization. In a bleak uncultivated country, and among a people of barbarians, there is leſs that can undergo change. Of accumulated wealth there is little; the ideas which compoſe their knowledge, are comparatively few. The ſubjects by the combination, the deſtruction, or the improvement of which, change can be effected, ſhall here be *but as an hundred*. With an opulent and civilized nation they may be *as ten thouſand*. And ſuch a multitude of things as theſe laſt, are ſuſceptible of an almoſt infinitely greater multitude of combinations, than the ſmall number of the former. The men, the relations in ſociety, the means of enjoyment, the forms of induſtry, the modifications of human imagination and paſſion, are ſo much more numerous in a country where high civilization and refinement have been attained, than they could poſſibly be in that ſame country, while all within it, was ſimple and rude; that it cannot but be much more liable in the former ſtate, than in the latter to thoſe endleſs viciſſitudes which are naturally incident to all human things, and to thoſe alterations which the beneficent or miſchievous activity of man, is contiuually accompliſhing upon himſelf and all around him. How much more rapid the change of Roman manners, and of the ſtate of ſociety at Rome, which took

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took place in the period intervening between the age of Scipio, and the age of Auguſtus, than the alterations which were ſlowly accompliſhed between the æra of the expulſion of Tarquin by Brutus, and that of the overthrow of Hannibal at Zama, by Scipio! The Greeks for three hundred years after their ſettlement in the country which they were to render ſo illuſtrious, remained buried in the miſerable obſcurity of barbariſm: But the materials were, in the mean time prepared to catch the flame: the Perſian invaſion ſtruck a kindling ſpark through the maſs; and ardour, and light, and ſplendid radiance ſprang forth out of darkneſs, and with augmenting glory, continued ſtill to glow and ſhine, till they had effuſed an illumination that was long to enlighten the world. The changes of fifty years ſubſequent to the Perſian invaſion, were more than equal to thoſe of all the three hundred which preceded it. It is ſo likewiſe in the hiſtory of our own country and nation. The moſt remarkable rapidity of change in its opulence, arts, and manners, will meet our obſervation when we ſhall come to contraſt the middle of the ſeventeenth, with the end of the eighteenth century. Yet even in the progreſs of the fourteenth century, many were the alterations on the aſpect of civil life, in Scotland, of which the contemplation cannot fail to be intereſting, amuſive, and inſtructive.

I. Lit-

Sect. II. A. D. 1320 1425 Natural Hiſtory.

I. Little, however, was the external aſpect of the country, altered, during the lapſe of this century. Woods, marſhes, bleak mountains, wide, dreary moors were ſtill its principal features. No ditches, hedges, nor dividing walls of any conſiderable extent, marked its ſurface. Whatever grand traces of the hand of man, were viſible over it, were merely remains of the works of war; the camps, the walls, the trenches which the military enterprizes of the Romans had formed; the ruder mounds of Anglo-Saxon and Daniſh encampment; with imperfect circles of ſtones, the relics of the temples and idols of that ſavage ſuperſtition which had anciently prevailed throughout the iſland. The grange, the park, the orchard, the croft, however, appeared, here and there amid low, incloſing walls. Caſtles and fortalices of ſtrong workmanſhip, but a few walled towns, monaſteries, churches, and convents, cottages cluſtered together in the hamlet or the village, and here and there a ſolitary hut or hermitage; were the only human habitations diſperſed over the land. The waſte of war, and of domeſtic uſe, had conſumed much of the wood which had once grown thick over almoſt the whole face of the country. Being ſo much opened up, its atmoſphere might be now leſs noxious to the health of man and beaſt than it had once been; and yet, what it had gained in the diſſipation of hovering vapours, and in the briſker circulation of

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the ambient air, had perhaps been loſt in the increaſed expoſure of ſcenes formerly ſheltered, to the blaſts of the north and the piercing winds of the eaſt. Although the climate were cruelly ſevere; yet wheat, barley, pulſe, oats, were produced ſometimes in tolerable abundance, chiefly by the agriculture of the clergy and their vaſſals and peaſants. Sometimes it happened that tempeſts, accompanied with exceſſive rains, deluged the lower grounds with the moſt tremendous floods. In the month of September in the year one thouſand three hundred and fifty-eight, Eaſt Lothian was deluged by a flood, which the monkiſh chronicler, with a ſimplicity of ſtyle and imagination, ſuch as may well provoke our ſmiles, deſcribes as unequalled ſince the days of Noah: It raiſed the rivers above their banks, diffuſing them over the fields, through towns, villages, and monaſteries; walls, bridges, cottages were overwhelmed, and ſwept away in the waters; the corn, whether ſtanding or in ſhocks, was deſtroyed and hurried into the ſea: At Haddington, the flood levelled to the ground, all the houſes in the ſtreet named the *Nungate*: Similar devaſtation was in like manner occaſioned at other places upon the coaſt. Meteors were ſometimes ſeen to flame in the ſky; and particularly it is recorded, that not long before the death of David duke of Rothſay, a meteor appeared, with a long fiery train, from which the duke of Albany

Albany, contemplating it by night at the caſtle of Edinburgh, ſagaciouſly inferred, that it muſt portend either the ſpeedy ruin of ſome country, or the fall of ſome prince. Sometimes terrible ſtorms of wind tore up by the roots, the trees of the foreſt, demoliſhed even houſes of conſiderable ſtrength, and wrecked the ſhips in the circumjacent ſeas. In the year one thouſand four hundred and nine, the gavel of the church belonging to the monaſtery of St Andrew's, was ſhaken to its fall by a ſtorm of this nature: the ſtones which fell from it, ſhattered the roof of the dormitory and of the chapel below it, ſo that Thomas ſubprior of the houſe, was cruſhed to death by the weight of the ſhattered parts of the edifice falling in upon him where he lay. Spring and autumn were uſually abundant in rains; in winter, froſts and deep ſnows prevailed; in ſummer, there was occaſionally a ſhort period of torrid heat. The foreſts were not yet ſufficiently cleared of wolves, bears, and foxes; for the ſhepherds on the hills alarmed Piercy's army, and drove them into ridiculous flight by ſhaking the rattles with which they were wont to terrify the wild beaſts of the woods from coming forth to annoy their flocks and herds. It ſhould ſeem that ſheep became more numerous, and flocks of theſe gentle animals more common in the country during this period; for it is no longer of oxen ſolely, or chiefly, but of herds of oxen, and flocks of ſheep together

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together that the old annaliſts and charters ſpeak when mentioning the domeſticated animals which compoſed the farm-ſtock and uſeful opulence of the great barons, the eccleſiaſtical communities, and the inhabitants of the country in general. Even of the Kings, the chief wealth for the ſupport of their houſhold, conſiſted in their flocks of ſheep and herds of oxen: although deer, roes, goats, and eſpecially ſwine, of which numerous herds were annually in the end of autumn fattened upon the maſt and acorns of the foreſts; formed alſo no inconſiderable part of the animal ſtock which was bred and tended on the royal domains, as well as on the lands of the barons. A larger breed of horſes for war began to be preferred among the nobles; but, for the ordinary uſes of huſbandry, hunting, and deſultory fight, the ſmall hobby horſes which abounded in Scotland, were ſtill univerſally employed. The crow, the raven, the kite, the eagle, with all the varieties of moor-fowls and water-fowls, were ſufficiently plentiful. In the year one thouſand four hundred and ſixteen, a pair of ſtorks, probably from Flanders or Holland, where theſe birds are plentiful, coming accidentally into Scotland, made their neſt on the roof of St Giles's church, and when the time for their migration came about, again flew away, to return no more. The ſtork being a ſtranger in Scotland, and a bird which mankind

kind have often been accuſtomed to view with ſome ſort of ſuperſtitious veneration; hence was this appearance, even otherwiſe ſufficiently ſingular, viewed with a degree of attention which induced the chroniclers to give it a place in their records*. SECT. II. A. D. 1330-1425

FROM ſeveral facts which have been preſerved, it ſufficiently appears, that the agriculture of Scotland, was in this century, conſiderably advanced. Of Robert the Third it is related, that there was, in his days, altho' endleſs quarrelling among his nobles; yet an overflowing fertility of all the productions of nature uſeful for the ſuſtenance of human life; a fertility which however bounteous nature might be, could not exiſt without induſtrious culture; which could not indeed exiſt, without the addition of careful agriculture, to the attentive management of flocks and herds. That Randolph found it neceſſary during his regency, to provide by a ſolemn act of Parliament for the puniſhment of thieves ſtealing ploughs from the fields on which they ſhould be left during the intervals between the periods of daily tillage, is a fact affording an unequivocal proof of the increaſe of tillage, at the time at which ſuch an act was framed. During the troubles of the reign of Robert Bruce, ploughs were ſo rare, and comparatively ſpeaking, ſo little employed, that they were never left in the fields to Progreſs of agriculture.

* Fordun. XIV. 21. XV. 12. 21. 24:—Fœdera VI. 114:—Anderſon's Diplomata, &c.

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to tempt the thief: In the former part of David Bruce's reign, it had been little better: But, after David's return out of captivity in England,—with the peace which attended his partiality to the Engliſh intereſts, the uſeful labours of peace had likewiſe begun to revive: In conſequence of the revival particularly of agriculture, ploughs became numerous, and ploughing a labour ſo ordinary and familiar, that the ploughmen were induced to leave their ploughs on the field during the night, until they ſhould return in the morning again to yoke their horſes, and renew their toil: This expoſure of ſuch valuable implements of labour, tempted theft: The evil became general, the complaints earneſt and frequent: The legiſlature was induced to interpoſe: And that act againſt the ſtealing of ploughs, was enacted, being one of the earlieſt laws which were framed for the encouragement of agriculture. Another fact equally curious, marks the ſtate of Agriculture in Lothian in the middle of this century. Alan Winton carried away by violence the heireſs of Seton; intending to marry her in ſpite of her guardian and relations: A grievous feud, in conſequence, aroſe throughout Lothian, between the relations of the maiden, and the friends of the raviſher: and it is ſaid to have had the effect of laying no fewer than an hundred ploughs idle for that year. An hundred ploughs were, for the ſtate of cultivation throughout the country in

general, no inconſiderable number: Yet, how caſual and imperfect that agriculture, the proſecution or interruption of which depended upon accidents and quarrels, ſuch as the carrying off a damſel, might occaſion! Concerning tame fowls, animals dependent like man their lord, upon the immediate produce of agriculture, it is remarkable, that in the year one thouſand three hundred and thirty-ſix, there raged an epidemical diſtemper, to the infinite mortification of the monks among the poultry of the land, by which hens, cocks, and capons, were rendered, all alike, unfit for uſe as food, while, at the ſame time they died by thouſands. A dog, a cat, a cock and a hen, were the uſual domeſtic companions of the poor man. When the houſes in the *Nungate* of Haddington, were deſtroyed by the great flood above-mentioned, a man named John Birley, is related to have ſaved himſelf with his dog, cat, and cock, upon the broken rafters of his houſe, on which he was conveyed to where he could make his eſcape beyond the reach of the waters*.

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SUCH was the exterior aſpect of the country in the courſe of the fourteenth century; and ſuch was the advancing condition of agriculture, the art the moſt cloſely connected with that appearance. Of the numbers of the people, it is ſcarcely poſſible

Population.

* Fordun. XIII. 17. 51. XIV. 21:—Fœdera:—Major, &c.

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poſſible to preſent any accurate eſtimate. Thoſe inceſſant wars which had long prevailed, and that general want of the neceſſaries of life which often waſted the land, could not fail terribly to thin the ranks of population. The climate, the modes of life, the miſeries of the poor, the general inability of all to exerciſe thoſe tender and delicate cares which infancy and ſickneſs require, aſſuredly tended to prevent any rapid increaſe of the numbers of men in Scotland, during this period, even altho' other circumſtances had not been alike unfavourable. Beſides, ſo very large a proportion of both ſexes, conſigned themſelves to perpetual celibacy, by entering into religious orders, that if we add the conſideration of this fact, to the other circumſtances by which the increaſe of population was prevented; we ſhall find ſtrong reaſon for concluding the number of the inhabitants of Scotland to have been rather diminiſhed, than augmented in the courſe of that period of its hiſtory which is now under our ſurvey. And yet there are not wanting ſome conſiderations which may ſeem to recommend a contrary opinion. Where mankind are rapidly cut off by death; their numbers are alſo rapidly renewed. How ſoon is the devaſtation of a plague or other epidemical diſtemper, made amends for, by the riſe of new beings to fill up the gap! The annual exportation of myriads of negroes, to drudge and to periſh in a foreign land, does

does not exhauſt the population of the African coaſt. Nor is it to be forgotten, that, if in rude ages and uncultivated lands, the neceſſaries and conveniencies of life, be produced in ſmaller abundance; the wants of men are then alſo ſo much fewer, that the ſame quantity of the uſeful productions of art and nature, will then ſerve for the ſuſtenance of a much greater number of men, than in ages of luxury and refinement. Theſe ſeveral circumſtances of oppoſite tendency, are therefore to be regarded as operating jointly upon the ſtate of population in Scotland, at this period; and as in part, reciprocally deſtroying each other's efficacy. The numbers of the Scots, therefore, eſtimated upon ſuch principles, and from the number of the armies which they are ſaid to have led out againſt England, or to have ſent to the aid of the French, can hardly be reckoned to have either exceeded their number in the age preceding, or to have fallen greatly ſhort of it Armies of twenty, fifty, almoſt an hundred thouſand men, are looſely ſaid to have been occaſionally led againſt the Engliſh: There might be at one time about ten thouſand Scots together in the ſervice of France: In the domeſtic feuds of the northern clans, there might be often ten or twelve thouſand men in arms upon each ſide: And from all theſe facts, we can deduce no other inference, than that the number of the inhabitants of Scotland, even in the end of the fourteenth century, could not greatly exceed ſix hundred thouſand,

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and could ſcarcely be leſs. It is evident, however, that the comparative tranquillity which was maintained, and the plenty which was enjoyed during the reigns of the two firſt Stewarts, muſt have contributed in ſome ſmall degree to augment the general population of the kingdom*.

Architecture.

As to *architecture*, this was ſtill an age rather of pulling down than of building up. *Caſtles* and *fortalices* had been long found by the Scots to be more uſeful to the Engliſh, whoſe invaſions were ſupported and maintained by them, than to the Scots themſelves, whoſe mountains and marſhes afforded them a ſurer defence than caſtles, againſt invaſion. The Engliſh carefully repaired the caſtles and walled towns in Scotland, wherever theſe fell into their hands; and as they had found ſuch fortifications eminently uſeful towards the complete ſubjugation of the inhabitants of Wales; hoped to derive from them the ſame advantage for ſecuring their conqueſts in Scotland. Edward the Third, after his victorious expedition into the northern parts of Scotland in the year one thouſand three hundred and thirty-ſix, fortified the town of Perth, which the Scots had lately diſmantled, with ſtrong walls and deep and broad trenches, with frequent towers and gates. From the ſix monaſteries of St Andrew's, Dunfermling, Lindores, Balmerino, Aber-

* Fordun. Lib. XIII. XIV. XV. paſſim.

Aberbrothwick, and Coupar in Angus, he levied sums of money for the conſtruction of three great gates, with as many towers. The work was of hewn ſtone; and the expence is ſaid to have almoſt wholly exhauſted the revenues of the religious houſes, from which it was exacted. Gowry, prior of St Andrew's, paid to the maſons for the erection of one of the towers, no leſs a ſum than two hundred and eighty merks in ready money. The caſtles of St Andrew's and Leuchars were, at the ſame time, built or repaired by Henry Beaumont and Henry Ferrars; the caſtle of Stirling, by William Montague; thoſe of Edinburgh and Roxburgh, by John Stirling and William Montague. Still as the Engliſh built, the Scots demoliſhed. On the very ſame year on which ſo many fortifications were erected, the Scots, amid their returning ſucceſs, levelled to the ground the fortalices of Dunottar, Kinneff, Laurenſton, and Kincleven, the tower of Falkland, and even the caſtle of St Andrew's, notwithſtanding the extraordinary ſtrength and beauty in which it had been recently rebuilt. The caſtle of Coupar which withſtood their arms, ſeems to have owed its ſafety, in a great meaſure, to the genius and architectural ſkill of the famous William Bullock, who was probably the moſt eminent architect that Scotland poſſeſſed in this period.—Yet, it was only in the interior parts of the country that the Scots would

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Caſtles.

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would not ſuffer thoſe caſtles to remain, which the conquering Engliſh had reared. The ſtrong caſtle of Dunbar, which for two and twenty weeks baffled all the engines, all the valorous aſſaults, and all the military ſkill of Montague and the Engliſh, was a caſtle fortified and poſſeſſed by the Scots themſelves. The caſtle of Berwick, whenever it fell into the hands of the Scots, was, by them, not diſmantled, but ſtrengthened with new fortifications, and carefully garriſoned. The fortifications of the caſtle of Edinburgh muſt have been weak, when the Count of Namur and his followers, although within its limits; yet could find no other means of ſheltering themſelves from the furious aſſault of the Scots without, than by ſlaying their horſes, and forming a mound or parapet of the dead bodies. It is worthy of remark, that, about this period, the *North-Loch* of Edinburgh ſeems not to have exiſted; for it is related by Fordun, that a ſingle combat was, ſome years after this, fought, on the very ſpot which that *Loch*, at a later time, occupied. Amidſt the perils and ſtratagems of ſuch long wars, even dens and caves were occaſionally occupied by warriours, as places of ſtrong defence, or ſecret retreat. The famous and lamented Alexander Ramſay, who periſhed by the atrocious treachery and cruelty of Douglas, the knight of Liddeſdale, long lurked with ſome choſen companions in the cave of Hawthornden, and terribly

Caves of Hawthornden.

terribly annoyed the Engliſh by his excurſions from it. In the latter part of the fourteenth century, when the land had a partial reſt from the ravages of the Engliſh, the Scottiſh barons, not otherwiſe ſecure, each in the poſſeſſion of his own domains, erected various caſtles for domeſtic accommodation, and in order to protect themſelves againſt the rapine and hoſtilities of one another, as well as againſt the vigorous exerciſe of the lawful authority of their ſovereign. Among others, the caſtle of *Thrieve* in an iſlet, probably artificially formed in the river *Dee* in Galloway, was erected by Archibald Douglas the *Grim* earl, firſt of Galloway alone, afterwards by ſucceſſion from his brother, of both Galloway and Douglas. The eccleſiaſtical edifices were the moſt ſumptuous of all that were in this age erected in Scotland. To be a great builder was accounted highly honourable to the abbot or prior preſiding in any religious houſe. Amidſt the ravages of war, indeed, the ſoldiers could not always be deterred from ſacrilegious violation of the holy and hoſpitable ſeats of religion: The monaſtery, ſacred to St Columba, in the iſland of Inch-Colm, in the Frith of Forth, was often in this manner violated and robbed by the Engliſh fleets which came into the Frith: At one time, the church of Dollar, dependent upon it, and, by one of its abbots, decorated with columns of oak, which were with admirable elegance carved, jointed, and exquiſitely indented;

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indented; was, by those ravagers, plundered of these admirable works of ornament: But, the spoilers perished by a storm, when they had returned as far down the Frith, at St Columba's isle; and the vindictive superstition of the monks ascribed the shipwreck to the immediate interposition of God most High, for the punishment of their sacrilege. Many noble works of architecture are recorded to have been in this age erected by the care of the priors and archbishops of St. Andrew's; noble in proportion to the state of arts and manners in the fourteenth century; although perhaps petty, if regarded in comparison with the nobler buildings of more opulent countries, and more enlightened times. To place a new leaden roof upon the dormitory, to wainscot it with fresh oak, to repair the chapel, to add a chamber or two, were works of architecture sufficient to do honour to the prior of any monastery. All these, and various other erections and reparations, but especially the providing of a rich and curiously wrought curtain,—as it should seem,—of tapestry, exquisitely adorned with inwoven figures of men and beasts; distinguished the priorate of William Lothian who governed this religious house, from the year one thousand three hundred and twenty-one, to the year one thousand three hundred and fifty-four. His successor, Bisset, being afterwards elected to the bishopric, expended, while in this high station, no less a sum than two thousand and two hundred merks

Churches and monasteries.

merks in rebuilding the great church, which had been unfortunately burnt down by accidental fire. A great apparatus of office-houſes was required for the uſe of a monaſtery: Some of thoſe priors of St Andrew's, therefore, diſtinguiſhed themſelves by building granaries, mills, bake-houſes, pig-ſties, barns. Sometimes the placing of a new roof, ſometimes the laying of a new pavement, is mentioned as the public ſpirited act of the preſident of this or that religious community. The raiſing of new columns, or the forming of new windows of glaſs, was a work accounted to diſplay wonderful taſte and magnificence. The pavements of the courts and floors were often of poliſhed ſtone. As to the architecture of the cottages, and of the houſes within the walled towns; it was ſuch as hardly to deſerve the name. Walls built without any cement but clay, ſtraw or turf covered roofs, nothing but the moiſt, puddled earth for floors, and no neatneſs in the arrangement of furniture; were the moſt remarkable objects to be ſeen about them. The town of *Perth* being ſo ſtrongly walled, with ſo many gates and towers, was probably, within, a place of ſome extent, and might have ſeveral different ſtreets, ſufficient to make it, perhaps, one of the moſt conſiderable towns in the Scottiſh dominions. It does not appear that *Edinburgh* was, as yet, very conſiderable for any thing, ſave its caſtle, and the contiguity of the venerable monaſtery

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tery of the Holy Rood: Yet, had it at this time, beſide its principal and *High* Street, ſeveral croſs ſtreets; ſuch as *Saint Mary's Wynd*, and the *Friar's Vennel*: Already, too it had the auguſt collegiate church of *St Giles's*, on the roof of which a couple of Storks were, above related, to have made their neſt. *Stirling*, unleſs ſo far as it was confined within the circuit of the outer wall of the caſtle, ſeems to have had hardly any exiſtence as a town. In the other parts of the kingdom, there were indeed caſtles, convents, and hamlets; but few places ſufficiently conſiderable, to deſerve the name of towns. *Dundee* and *Aberdeen* are, however, to be excepted from this obſervation; for their ſituation on the eaſtern coaſt, over-againſt Flanders, the land of manufactures and commerce, had already begun to raiſe them to ſome conſideration as ſeats of ſeafaring trade. *Haddington* which ſuffered ſo much by the inundation before mentioned, could not have ſo ſuffered, had it not poſſeſſed ſtreets and edifices, liable to be overwhelmed by ſuch a fate: Yet, the *Nungate* ſeems to have been its principal ſtreet; and the houſes in it were but ſtraw-roofed cottages. It was, in general, on the eaſtern ſide of the kingdom alone, and towards the ſouthern and middle parts of that eaſtern ſide, that towns had begun to be multiplied and populouſly inhabited; manufactures and trade, the ſources of the wealth and proſperity of towns, to be called

Towns.

forth and cultivated. *Roxburgh*, which now exiſts only in hiſtory, was perhaps in the fourteenth century, a town, comparatively, of no inconſiderable magnitude. *Jedburgh* alſo might, at leaſt, deſerve the name of a town. But, in all the ancient records, however towns may be mentioned as at this time exiſting in Scotland; yet, the caſtles of the King and the nobility, and the monaſteries, cathedrals, churches, chapels, and parſonage-houſes of the clergy, are ſtill the moſt conſiderable buildings deſcribed. *Aberdeen* muſt have been a place of ſome conſideration, when its citizens marched out againſt Roſheme, in the days of David Bruce. But, the puniſhment which the Engliſh king inflicted upon thoſe who had adventured out upon that hardy enterprize, was ſuch as to reduce their town to aſhes*.

Culinary and meaner mechanic arts.

OF the variations which, during this fourteenth century, took place upon the culinary, and the other meaner arts, there is but little to be related. Salted proviſions formed ſtill a very large proportion of the food of the Scots during the courſe of the year. That animal-food which they conſum-

* Fordun. XIII. 28. 38, 39, 40, 41. 45. 35. 48. VI. paſſim,—XIV. 21. &c.—Fœdera, VI. 40. 133. &c.—It is a curious fact, that a tombſtone and other materials for the funeral-monument of David Bruce, were to be procured from England, and from the Continent. Even the maſons, to erect it, came from England:—Fœdera, VI. 721:—Statiſt. Accounts, &c.

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ed while *freſh*, was often uſed alſo almoſt *raw*. The naſtineſs which always prevails among ſavages and barbarians, ſeems to have predominated, as a preſiding dæmon, in the chambers, at the tables, in the kitchens, and in the halls of the Scots of this age. Even at their moſt plentiful and ſumptuous entertainments, all the garniture of the feaſt, neatneſs, delicacy, cleanlineſs, ſober temperance, were ſtill wanting. Nor in clothing, were they better accommodated. The cloak, the mantle, the doublet, the hoſe, with pointed ſhoes, were the ordinary articles of complete dreſs. But, it was when clad rather in complete ſteel, that the warriour was beſt pleaſed with his own garb. The prieſts and monks arrayed themſelves in richer robes, black, white, grey, purple; although in other inſtances, with affected or weak humility, in robes peculiarly ſimple and mean. Among the workmen of the mechanic arts, the *ſmith* ſtill retained his ancient pre-eminence. The *miller* was alſo a conſiderable man among the peaſantry. The *maſon* who poſſeſſed talents for architectural contrivance and deſign, was generally ranked above mere artiſans. The weaver, the ſhoemaker, the taylor, and, in general, the artiſans of all thoſe arts which in a ſavage ſtate are reſigned to the women, ſeem to have been often perſons living in a ſtate of *villainage*,—or but newly emancipated out of it, and admitted to the freedom of burghs belonging

longing to the kings or the barons. The laws respecting the ſalmon-fiſhery, the great uſe made of ſalmons as an article of food for winter, and particularly for the ſtores of garriſons and of the convents, beſpeak fiſhing to have been a ſpecies of uſeful induſtry, which was, at this time, moſt aſſiduouſly purſued. Whether it occupied a claſs of men, who employed themſelves ſolely in fiſhing, or was rather followed but occaſionally by perſons who applied alſo to different labours, cannot be preciſely aſcertained. Yet is it probable, that the latter would be the mode in which the fiſhing of the Scottiſh coaſts and rivers, was uſually carried on; ſince the ſubdiviſion of labour was ſtill very imperfect in Scotland, and the Scots in general, were as yet far from having learned how much better it is to earn the comforts of induſtry, than to ſtarve in liſtleſs ſloth*. SECT. II. A. D. 1330-1425

THIS was an age favourable to the improvement of the Scots in the knowledge of *maritime affairs*, and in the practice of *navigation*. Their wars with the Engliſh, who in navigation remarkably excelled, at this time, among the nations of Europe, unavoidably led the Scots themſelves to become alſo bold and hardy ſailors. Having ſo conſtant an intercourſe with France, which could not be carried on without continual voyages, they neceſſarily became more and more a maritime nation, while repairing ſo frequently, Navigation.

* Eoſdem, paſſim.

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quently, by sea, to the aid of their French allies, during the progress of the present century. By the Flemings, and the citizens in general, of the combined HANSE or free trading towns on the middle and northern coasts of the European continent, who were masters of almost all the trade and navigation of these seas; were the Scots signally instructed and aided in the management of any operations of naval war, in which they had occasion to engage. It was Crabbe, the famous Fleming who had formerly fortified Berwick, that brought a fleet of Flemish vessels to oppose the English fleet, with which Edward Balliol came to invade Scotland. His aid proved indeed unavailing, and his fleet was destroyed.—That was a desperate conflict at sea in which Lindsay perished bravely fighting with the English, who had attacked a French vessel, in which he with many noble persons belonging to Scotland, were returning from a temporary retirement in France, to the defence of their native country. Hautpyle, the famous French mariner, who brought his ships to aid the Scots, instructed them also unavoidably more or less in the maritime arts, and gave a lustre to their navigation by the deeds which he atchieved in their service.—Yet, it must be acknowledged, that the English were in these days absolute masters of the Scottish seas. Whenever they came to invade Scotland by land; their fleets were still ready to attend along the coast, the progress of their

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their land-armies. However the Scots might frequently oppoſe the invaders on land, at ſea they rarely dared to attack the Engliſh fleets. When the Scottiſh coaſts were ravaged from the Tweed to the Moray-frith; when Engliſh piracy advanced up the Forth, almoſt to Stirling, up the Tay, to Perth; ſpoiling and deſtroying whatever it could find: It was to fancied miracles, to the fabled interpoſition of ſaints, whoſe ſhrines were pillaged, not to a naval force, which might have ſunk or taken the ſhips of the ſpoilers; that the affrighted Scots referred themſelves for protection and redreſs. From the death of Robert Bruce, to the very period of the return of the Firſt James out of captivity, the Engliſh remained lords of this eaſtern ſea. The Scots might augment the numbers of their trading veſſels; might increaſe the frequency of their intercourſe with their continental allies: But they ſtill wanted wealth, trade, extent of coaſt, a due connexion with the other maritime powers of Europe, to enable them to form a navy that could be formidable to that of England. This was to be the atchievement of a later æra.—Yet, the Scots ſometimes found means ſucceſsfully to wreak their rage, even by water, upon ſome of their Engliſh foes. While, during the abſence of David Bruce in France, the caſtle of Cupar in Fife was in the hands of the Engliſh; about ſixty men from its garriſon, rode out on an excurſion as far

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far as Dunibriſſil, and thence ſending back their horſes, propoſed to croſs the Frith of Forth. It was now midnight, and the moon ſhone bright. With ſome difficulty they procured a man, named Alan Steriſman, who either kept there a ferry-boat, or happened at the time to be near with a ſmall fiſhing-bark,—to ferry them acroſs the Frith. The reluctance of Steriſman and his companions was overcome by beating and threats. He repreſſed the expreſſion of his reſentment, and ſeemed to obey their wiſhes with the utmoſt activity. But reaching a ſand-bank which the ebbing tide uſually left dry and bare, from Cramond-iſland, as far as to Barnbougle; he perſuaded them there to leave the boat, as if they had reached the farther ſhore. The uncertain light of the moon rendered it impoſſible for them to diſtinguiſh whether or not he told the truth. But Steriſman was ſcarcely gone with his boat beyond their reach, when they began to perceive that they were only upon a ſand-bank, ſurrounded on all ſides with water, which was too deep for them to wade through it, and was faſt riſing to ſweep them away. In vain did they call upon Alan to return; in vain they implored him with ſupplications as abject as their commands had been impotently inſolent; in vain offered him even fifty pounds, if he would but receive them again into his veſſel. He lent a deaf ear alike to their offers, their prayers, and their cries.

The ſtripes he had ſuffered; the unwilling navigation which he had been at midnight, compelled to make; the abhorrence which an honeſt Scotſman naturally felt for the uſurping, oppreſſive Engliſh; hardened his ſullen heart againſt their diſtreſs. Their drowning ſhrieks; for, as the tide roſe, they, every one, periſhed; ſtruck his ear, as the ſweeteſt muſic, while he approached the bank of the Frith, from which he had ſet ſail.—That the naval enterprize againſt the caſtle of Edinburgh was conducted from Dundee by Currie, Douglas, and their companions; ſeems to imply that Dundee was at this time a ſeaport-town, probably in poſſeſſion of ſome trading ſhips, however few and ſmall. William Douglas of Nithſdale appears to have had no difficulty in finding ſhipping for that expedition which he conducted by ſea againſt Carlingford in Ireland, and againſt the Iſle of Man.—In every frith, in every bay, at the mouth of every river, from Annan, around all the Scottiſh coaſts to Berwick, there were a multitude of boats, for fiſhing, for rapine and war, even for occaſional, diſtant navigation. And yet the Scots did not carry on any trade, by ſea, more than was neceſſary for the exportation of ſome of their few ſuperfluities, in exchange for things which although not produced in their own country, were however wanted by them. Wool and hides, with the pearls of their rivers, and, in years of plenty, ſome

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ſome dried fiſh, were their ſtaple articles for exportation. The precious metals, cloths for raiment, armour of all ſorts, whatever was curious in furniture, or in the decorations of ornamented architecture, were all to be imported from abroad. Preſents from their allies of France, the gold which rewarded their military ſervices on the Continent, the ſpoils which they took in battle, and the precious things which the clergy received in preſents, or purchaſed abroad for the purpoſe of rendering religion more auguſt; were the principal objects of importation, by which their country was enriched, and a taſte for refinement and luxury gradually awakened among them*.

Diſcovery of Newfoundland, &c.

But, in the mean time, if we may truſt the curious narrative of an old Italian voyager, ſome important adventures of navigation were carried on from the iſles contiguous to the northern and the north-weſt parts of Scotland. Zeno, the Italian, by whom the account of theſe facts has been commemorated, was carried by the bold, mercantile and naval activity of the Italians of that age, to explore the coaſts of the northern ſeas. In the progreſs of his adventures, he was accidentally caſt among the Iſles of Orkney. Being there detained by the kind reception he met with from their inhabitants, and by the difficulty of finding means to return

* Fœdera, VI. 133. VIII. 450:—Fordun. XIII. 46. XIV. 13. 48, 49. 52, &c.

return home, he engaged in the ſervice of the prince of thoſe iſles, and was led to viſit alſo occaſionally the Shetland iſles and the Hebudæ. Henry Sinclair, a vaſſal of the Scottiſh King, about this very period, in the end of the fourteenth century, conquered the Orknies from chieftains who were feudally dependent upon the King of Norway. It was in Sinclair's ſervice, that Zeno engaged. His talents for navigation, ſo highly ſuperior to whatever thoſe rude iſlanders were capable of, recommended him to the higheſt favour with Sinclair, and enabled him to advance the authority and grandeur of his lord among all the ſurrounding iſles. He contemplated with curioſity, the manners of the rude Hebudians, their poverty, their inceſſant quarrels, their unwearied, paddling navigation. But, the active ſpirit of the people of the Orkney and Shetland iſles, and the high enterpriſing ardour of Sinclair, victorious over his foes, and enlightened by the counſels of ſo able a navigator as Zeno, prompted them to puſh their enterprizes far away, towards the north-weſt. To Iceland, long ſince colonized by the Norwegians, they penetrated in ſome voyages, which were not attended with any very extraordinary difficulties. Greenland was explored by them in other voyages. As well as in Greenland as in Iceland, they found Chriſtianity eſtabliſhed, and the inhabitants neither without induſtry, nor ſtrangers to

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the comforts which induſtry beſtows. But, the limits of their adventures were not to be fixed, even there. The inhabitants of Greenland had, at this time, frequent intercourſe with the people of a more weſtern land, which they named *Winland*, or *Eſtotiland*, had even coloniſts ſettled there, and were acquainted with its productions. The exiſtence and the bearings of this land, were made known by them to our adventurers; who repaired eagerly thither, and if not enriched by the voyage, at leſt convinced themſelves by perſonal inſpection of the truth of what the Greenlanders had related concerning it. That land could be no other than the extenſive American iſle of Newfoundland. The bold Norwegians, as it ſhould ſeem, had diſcovered the weſtern hemiſphere, in thoſe illuſtrious days of their piratical navigation, when they conquered or ravaged almoſt all the maritime territories of the middle and northern parts of Europe. Eſtabliſhing themſelves in Iceland, exploring Greenland; their bold and reſtleſs activity eaſily led them to extend their enterprizes farther, upon that ſide. But, it was only a bleak, inhoſpitable land,—without any obvious natural riches which they might have ſeized,—inhabited by no opulent and induſtrious people, whom they might have pillaged or ſubdued. They therefore turned their expeditions once more towards the middle parts of Europe, where alone was wealth to be acquired, or enviable ſettlements

ments to be obtained. Their coloniſts in Iceland and Greenland, or rather in the latter iſle alone, continued, from time to time, to viſit that weſtern coaſt which the adventures of Norwegian navigation had diſcovered. But, they wanted, in a great meaſure, the illumination of literature. They were not aware that they had diſcovered a country, of which the ſouthern parts were rich and fair, and which was afterwards to attract, as to a focus, all the ambition, curioſity, and avarice of almoſt all Europe; they thought not of the extent and future importance of America; and they were little careful to regiſter and preſerve the memory of their diſcoveries. It was after the rage for the diſcovery of new lands had been fully and eagerly awakened, that Zeno went to viſit theſe northern ſeas, and conducted the inhabitants of the Orkney and Shetland iſles to retrace the ſteps which ancient Norwegian navigators had once purſued. The circumſtances of the expedition evince, that theſe iſlanders ſtill retained the ſame ſpirit which had animated the ancient Norwegians, from whom they were chiefly deſcended. Had it not been for the memoirs of the Zeno's, the adventure, like other adventures of a dark age, and a barbarian nation, had moſt probably been forever forgotten*.

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But, were the arts of war improved, among the Scots, in the courſe of this century, to greater ſkilfulneſs,

* Hakluyt. Vol. III. P. 124: Ramuſio, II. 232: Forſter's voyages and diſcoveries in the North, 178 to 209.

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fulneſs, and to more heroic magnanimity? They were. Until this century, the ſpirit of chivalry had not been imbibed by the Scottiſh warriours in general, in all its romantic generoſity, and in all its daring yet not ſavage valour. Courage had not been before, cordially allied to gentleneſs, force to forbearance, the practice of war to faithful, unſwerving honour. Throughout all Europe, it was the ſame: Every where, the genius of chivalry ſhone the moſt illuſtrious, in this age. In Scotland, the virtues of chivalry were now the moſt conſpicuous qualities of the warriour. This ſpirit affected the general practice of war, and failed not to influence every operation of actual offence or defence, in which the Scots engaged. It regulated the punctilios of general battle and of ſingle combat. It prompted the youth to early activity in the exerciſe of arms. It preſided over the tournament and the chace.

Martial ſpirit of the Scots.

As to *arms*, thoſe uſed in this age, were, for the greater part, not remarkably different from thoſe which had been in uſe among the Scots, during the century immediately preceding this. But yet, the invention of a new ſpecies of arms had, in the mean time, begun to change in a great meaſure, all the plans and operations of war. Theſe were FIRE-ARMS, unknown to the warriours of antiquity, to the bold ſavages who ſubverted the Roman empire,

pire, to the heroes of the Cruſades, to all who had fought and bled during the earlier centuries of the warfare of modern Europe. Sect. II. A. D. 1330-1425

Reflections upon armour.

The uplifted arm, the clenched fiſt, a ſtone taken from the earth, a branch torn from a tree, were the firſt weapons of offence, uſed among mankind. The branch was ſoon exchanged for a club; the ſtone was thrown from a ſling; the ſkins of wild beaſts uſed for ordinary clothing, were yet more carefully employed to ſhield the breaſt, and to protect the head from the ſtroke of an enemy. The club was again ſharpened into a javelin or a ſpear, or at the ſame time while it was ſharpened, was alſo ſhortened even into a dart. To the ſling was ſoon added a piece of flexible wood; and it became a bow, to which the dart poliſhed to ſlenderneſs, might be fitted as an arrow. Metals were not ſooner applied as inſtruments of the uſeful arts of peace, than employed to make more deadly, the weapons of war. The ſword, the ſcymetar, the dagger, the iron-headed ſpear were fabricated with the metals, which rendered their wounds more deadly. But, being applied likewiſe with equal ſucceſs to the improvement of defenſive armour, the metals ſtrengthened it almoſt as much as they had improved and ſharpened the weapons of offence; thus maintaining nearly the ſame equality which had before ſubſiſted between the aſſailant and the warriour

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warriour assailed. Ingenuity and art were soon more diligently applied to the fabrication of armour of all sorts, than to almost any other purpose. The Asiatics, the Greeks, the Romans possessed coats of mail, spears, javelins, darts, shields, bows, and quivers filled with arrows. The barbarian conquerors of the Roman empire adopted the use even of heavier armour than that which the Romans had been accustomed to wear. The *men at arms* or heavy-armed soldiery of the modern European armies, were so completely clad in massy steel; that it seemed as if the warriour thus armed, and then mounted on horseback, or placed in the field of fight, would scarcely be able either to advance or retire, or to do any thing else but bear the brunt of his adversary's blow, to wield, himself, some awkward strokes, and to stand or fall lumpishly on the spot on which he was fixed. But, the efficacy of exercise and habit, was wonderfully exhibited in strengthening the knights of modern Europe, as well as the soldiers of ancient Rome, to bear the weight of all their armour, at the same time while they exerted themselves in marches, in battle, in the exercises of the tournament, as if they had been not more heavily armed than the naked soldiery of later times. Bodily force and agility were thus proportioned to the weight of armour which was to be wielded and sustained: The defensive armour was proportioned to the weapons employed

employed for offence: And the art of war, was made more artificial and complex, but not abſolutely more deſtructive, by thoſe continual new inventions which were produced to render its weapons more fatally death-dealing than they had been before. Sect. II. A. D. 1330-1425

Tactics and other arts of war.

The tactics of an army,—or the arrangement of its troops for actual fight,—have always a neceſſary relation to the armour they wear, and the weapons which they wield, as well as to the local nature of the country in which they are deſtined to combat. While men uſed in battle nothing but clubs and ſtones; their mode of fight was extremely deſultory: They might meet together in two hoſtile bands; but no ſooner did theſe oppoſite bands come to blows, than they were irregularly intermingled together in the ſame diſorder as if they had been but ſo many unconnected individuals, by their nature incapable of fighting in concert. The bow, the javelin, the dart, the ſword, the poinard, the ſcymetar, were all weapons ſuſceptible of being uſed with effect, without any combination with ſkilful and orderly tactics. Advantages of ground might indeed be choſen, before an engagement; an open plain might be preferred to a field broken with petty and troubleſome inequalities,—a riſing ground to the bottom of a hill; a march might be conducted rather over open

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open ground, than amid unexplored moraſſes and foreſts; a paſs might be vigilantly ſeized to intercept an advancing or a retiring foe: But ſtill when the action began, all was tumult, confuſion, the diſorder of a herd of wild animals. It was in this ſtate of tactics and military diſcipline, that one man might ſometimes rout an hundred, that ſudden panics, would, at times, put vaſt armies to flight, that a diſorderly multitude would ſometimes turn their arms againſt each other, not againſt the foes they came to oppoſe; and this not ſo much from any ſudden contention, as from mere confuſion, and want of order in their marches and encampments. When the ſpear became the favourite weapon of offence; when infantry began to be conſidered as being a more effective ſoldiery than cavalry, for all purpoſes, except for foraging, and for other deſultory operations of a ſimilar nature: then armies began to be divided into troops and ſquadrons, and to be arranged for march and for battle in ſomething like the order of rank and file. There was ſomewhat, yet only a very little, of this order in the arrangement of the Perſian armies, at the times when they atchieved their moſt illuſtrious conqueſts. In the armies of the Greeks, there was much more of it. But, the Macedonian phalanx, a body of troops, who were regularly organized, in a manner, into one machine, of which all the parts had a due proportion and reference to

one another, ſo as to conſtitute one whole; was the firſt eminent example of ſcientific or highly artificial tactics, which was exhibited in the mutual wars of mankind. The ſoldiers of the Macedonian phalanx were armed with ſpears of a prodigious length, and with the uſual defenſive armour of the age; and on ground on which they could act, and againſt the undiſciplined ſoldiers of Aſia, and the imperfect tactics of the other Greeks, the Macedonians were abſolutely irreſiſtible. But they could act only on exceedingly advantageous ground. They were an unwieldy machine, which could not be readily accommodated to all that diverſity of circumſtances in which it might be neceſſary to fight. While the Macedonian tactics were diffuſed throughout Aſia, and through the eaſtern parts of Europe; the military diſcipline of the Romans, whoſe principal weapon was alſo the ſpear, was improved to a degree of perfection, ſuperior to that of the Greeks. It was better adapted than that of the Greeks, to every diverſity of circumſtances in which combats between oppoſed armies could take place. Nay, it ſeems to have become the moſt perfect, of which men meeting in military array, for hoſtile purpoſes, and with ſuch armour as the Romans wore, can well be ſuſceptible. After the ſtructure of the Roman military ſyſtem had been deſtroyed; their arms and their diſcipline were partly adopted by the barbarians, who by ſerving

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in the Romans armies, not leſs than by contending againſt them, learned at laſt to ſubdue them. But, into the diſcipline and tactics of ancient Rome, even the moſt perfectly diſciplined of thoſe barbarians, introduced ſomething of that wild irregular impetuoſity, which belonged peculiarly to their nature, and to their barbarian habits of warfare. Spearmen, horſemen and infantry, bowmen, ſlingers, compoſed the ſtrength of the European armies, in the twelfth, the thirteenth, and the fourteenth, centuries. The cavalry and the ſpearmen, were uſually the main ſtrength of theſe armies; but they owed their ſuperiority, perhaps, even more to the complete and weighty defenſive armour, in which they were clad, than to any ſkilful evolution, or to any happy combination of efforts in the order of attack or defence. Theſe uſually decided the fortune of every pitched battle. Next to them were the archers or bowmen. The archers fighting from a diſtance, were commonly ſo ſtationed, as to cover the attack of the ſpearmen of the army to which they belonged; and with ſuch powerful effect were their ſhafts often ſent, that the ſpearmen oppoſed to them were ſometimes broken by *their* aſſault alone, or were at leaſt ſo ſorely galled, as to be eaſily maſtered by the adverſe ſpearmen who advanced to attack them, under the cover of a body of ſuch able archers. In the fourteenth century, when the Engliſh yeomanry had riſen to ſome conſiderable degree of

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of importance in the ſtate; the Engliſh archers who were compoſed out of this order, appear to have been the beſt in Europe. The cavalry, the ſpearmen, were not invariably ſuperior to thoſe of the French, were ſcarcely equal to thoſe of Scotland: But, the archers were unequalled. In all their pitched battles, it was ſtill by the ſuperiority of their archers that the Engliſh routed the Scots, whenever the Scots had the fate to be routed by them. The Engliſh bowmen were freemen of ſome conſideration in the country; the Scottiſh were but a miſerable peaſantry, poor, and ſubject to the thraldom of villainage: Hence probably come the ſuperiority of the bowmen and other light-armed troops of the former, over thoſe of the latter*.

Invention of gunpowder and firearms.

BUT, in this century, a diſcovery was made known, which was deſtined to change entirely the whole ſyſtem of diſcipline and tactics, and to exalt tactics much more nearly to ſcientific perfection, than even among the ancient Macedonians and Romans. Of miſſile weapons, the arrow, the javelin, the dart, had been in uſe among mankind, almoſt from the earlieſt times. At ſieges, there had been various propelling engines employed for caſting ſtones and other weapons to a diſtance, and with a force which no effort of the human

* Polybii Hiſt.—Veget. de re militari, &c.

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man arm could have otherwiſe communicated to them. But, it was reſerved for the votaries of alchemy, in the dark ages of modern Europe, to compoſe a fulminating powder, the ingredients of which ſhould, at the contact of fire, burſt aſunder with ſuch inconceivable violence, as to expel to a vaſt diſtance, and with extraordinary force, any objects which might meet their impulſe. The famous Roger Bacon of Oxford, a man whoſe genius, ſcientific reſearch, and enlargement of mind, raiſed him greatly above the level of the age in which he lived, is believed to have produced the invention of GUNPOWDER, ſome time before the preſent period, but to have concealed his invention in an anagram, either out of humanity to mankind, or perhaps in that ſpirit which made the alchemiſts particularly, often envy to others, the communication of ſecrets which they themſelves had *not* attained. Schwartz of Germany, another chemiſt, buſied in ſome experiments connected with the purſuit of the univerſal medicine, or of a menſtruum fitted to convert all things into gold; ſtumbled upon the ſame diſcovery, which was ſuppoſed to have been made by Bacon, but did not, like Bacon, hide it from the curioſity of mankind. Pounding together nitre, ſulphur, and charcoal, he found himſelf to have formed a mixture which exhibited the moſt wonderful fulminating qualities. The powder was itſelf loſt in the exploſion excited

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in it; the impetus was terrible with which it attacked in its exploſion, all contiguous objects. Within a veſſel confining it upon all ſides, but leaving it free to act ſtraight forward, and only ſo, it was perceived to act with the moſt prodigious energy. Invented, ſeen to poſſeſs ſuch qualities, being in the hands of men whoſe ideas were almoſt all turned more or leſs towards war; it was applied as an inſtrument of death which, from the tube of a gun or cannon, might propel ſtones, or lumps of metal, with a force which ſhould make them act with mortal efficacy againſt a foe. The various battering engines employed at ſieges, approached in their nature ſo near to what cannons or great guns were to be; that the tranſition of imagination from the one to the other, was ſufficiently eaſy, to favour the ſpeedy adopting of the uſe of theſe and other fire-arms. Cannons and calivers were hammered out by the ſmiths; gunpowder was, in great abundance, manufactured; balls of lead were caſt; war was armed with new inſtruments of deſtruction, before unknown. Thoſe by whom theſe inſtruments were firſt employed, would, no doubt, pleaſe themſelves mightily with the thought, that they had acquired a ſort of magic ſecret for commanding victory. But, there was in the firſt uſe of them, a cumbrouſneſs, an aukwardneſs, an unſkilfulneſs in the warriours in whoſe hands they were, which prevented them from conferring, in all

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all inſtances, that deciſive ſuperiority which might have been expected from them. Nor was it long poſſible to confine the benefits of a ſecret ſo important to one or two nations. The knowledge, the manufacture, and the uſes of gunpowder, were ſoon diffuſed over Europe; and heavy artillery, and portable fire-arms were ſoon adopted into uſe, in all the European armies. Edward the Third of England, in his wars in France, is ſaid to have derived important advantages from the uſe of fire-arms againſt the French, while they were unprovided with the ſame ſpecies of artillery and arms. Andrew Murray, while Regent of Scotland, when he reconquered and levelled to the ground, thoſe caſtles which Edward the Third had recently erected or repaired, to retain the Scots in ſubjection; derived his chief advantages for the ſieges, from the uſe of an engine, which ſeems to have been no other than a cannon, and was known by the name of the Boustour.—It was thus that when ſwords well tempered, and of curious workmanſhip, were rare,—the knights of the dark ages fondly gave names to their ſwords, by which the ſword often became little leſs illuſtrious, than was the warriour who wielded it.—From France, or from ſome one of the friendly Hanſe towns, had Murray moſt probably received this uſeful engine, the firſt of the kind, that was poſſeſſed by the Scots. Its efficacy was ſuch that, although the Scots had hardly ever before

before taken a caſtle out of the hands of the Engliſh, otherwiſe than by ſtratagem or blockade; Murray, with this engine, took a number of fortalices by open and direct aſſault; while more were ſurrendered to him through terrour of the irreſiſtible impreſſion and the dreadful havock which its exploſions were known to make. Yet, it ſhould ſeem, that Montague, earl of Saliſbury, was furniſhed with no ſuch artillery, when he beſieged the caſtle of Dunbar, for two and twenty weeks, in vain. Such warlike inſtruments once introduced into Scotland, were ſoon to come into conſtant uſe, and to produce an entire alteration of the whole ſyſtem of the operations of war*.

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THE uſe of fire-arms, thus introduced, entirely changed the ancient tactics, by precluding in many inſtances, the poſſibility of engaging in cloſe combat, and by rendering it much more eaſy ſo organize an army, that it might be guided into action, as if it were one ſimple machine. The ſpearmen, formerly the main ſtrength of every army, could not, however loaded with defenſive armour, withſtand the vollies of muſquetry from a well-armed and well diſciplined troop: If, even before the invention of fire-arms, the uſe of the bow had begun to be often ſingularly effectual, in breaking and diſordering the ranks of adverſe ſpearmen; muſquetry, which could act with much more powerful

Effects of this invention on the arts of war.

* Fordun. VIII.

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powerful efficacy than arrows from a bow, was unavoidably formed to produce more surely the same terribly annoying effect. But, field-artillery, infinitely more than musquetry, was adapted to render useless all the arms and the discipline of ancient warfare. Covered by a vigorous discharge of cannons, any force, however small and pusillanimous, might prevail against the greatest armies wanting cannons. All the engines anciently in use for sieges, were of such a nature, that, in employing them, it was still necessary for the besiegers to advance almost close up to the walls which they assailed. But, in the use of cannons, such dangerous approaches were no longer requisite. Besides, the force with which the most powerful battering engine, known in ancient warfare, could act, was but feeble and puny in comparison with that of cannons carrying a great weight of ball. Even bows, acting somewhat in the same way as musquetry, but with much less sure, and less tremendous efficacy, were, in consequence of the invention of fire-arms, naturally to be laid aside for these better instruments of destruction. For skirmishing, bush-fighting, and pursuit, no weapons that had been before in use could be comparable to the musquet. Even the match-locks, the use of which was subject to many inconveniencies, to which guns which have their locks fitted with flints are not liable,—even those were a species exceedingly

ſuperior to the ſpears and bows which had been before employed. Inequalities of ſtrength and of fierce courage were to be, in a great meaſure, annihilated; as to their effects in the field of battle, by the uſe of fire-arms: when the individuals of adverſe hoſts could not longer come cloſe up together, and ſingle one another out; the brave man could not ſo eaſily triumph over the coward, nor the ſtrong man at a blow cruſh a puny adverſary to the duſt: ſtrength to ſupport his arms, to fire his gun, to march with his battalion, was henceforth to be all that the ſoldier needed. Even the advantages of being clad in complete ſteel were annihilated before the cannon and the firelock. The knight thus armed could not be ſecure againſt the ſhock of cannons; even the muſquet-ball might penetrate at the joints, and break through the ſlender parts of his mail. But, although *almoſt* ſecure, he was comparatively uſeleſs. To the velocity, the activity, the rapid evolutions of infantry or cavalry, light-armed as thoſe who wore no coats of mail, and fought with fire-arms, he was altogether unequal. Ere he could come ſufficiently near, to aſſail them, their vollies muſt have diſabled or laid him low. Irregularities of ground, and other local diſadvantages were to be much more eaſily ſurmounted by troops with fire-arms, than by the heavy-armed ſoldiery of the preceding age. They were much more completely at the command of a leader; Sect. II. A. D. 1330-1425

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and were much more eaſily brought into action, with harmonious and reciprocally correſpondent movements.

The uſe of fire-arms has not mitigated the fury of war.

Has the invention of fire-arms, which began to be employed in Scotland, during the fourteenth century, contributed to mitigate or to infuriate and enhance the horrours of war? It cannot be, with confidence affirmed, to have acted in either the one way or the other. True it may be, that, keeping back the combatants in a battle from joining in cloſe engagement, and hindering each man from perceiving whom he wounds, or by whom he is wounded; the uſe of fire-arms may thus prevent ſome part of thoſe perſonal reſentments, which were neceſſarily excited, when armies joined in cloſe combat, and fought, man to man. But, it cannot prevent that inflamed irritation of mind, without which it is abſolutely impoſſible for any one body of men to face another in arms, till havock and carnage decide the ſtrife. Nay, more: Thoſe very circumſtances attending the uſe of fire-arms, which tend to keep down ſome part of that exaſperated rage which naturally boils up in the breaſt, in battle; muſt tend alſo to form the heart to a cool indifference for ſcenes of ſufferings and of carnage, ſuch as will produce much more habitual and atrocious cruelty, than when every battle was only an aſſemblage of ſingle combats.

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It is often better that the heart ſhould feel even inordinate emotion, than that it ſhould become callous and torpid. The gallant warriours of the age of chivalry acted with a generous humanity which can ſcarcely be rivalled by the moſt amiable benignity exhibited by the ſoldiers of a later and more refined period. No, never will the liberal magnaminity of the Black Prince of England, in the treatment of a priſoner, be exceeded by any generoſity of the ſoldiers and commanders of ſucceeding times! What Scotſman could act a more generous part to a vanquiſhed foe, than did the earl of Moray, and the knight of Liddeſdale to the count of Namur, when at the peril of their lives, they conducted him ſafe out of the Scottiſh territories? The invention of fire-arms has deſtroyed that ſuperiority which heavy defenſive armour gave to its wearer in combat; has reduced robuſt and moderate ſtrength to an equality; has taken away the poſſibility of fortifying a town or caſtle with impregnable walls; has annihilated the ſuperiority which the heavy-armed cavalry poſſeſſed in military tranſactions in the early ages of modern Europe; has made it poſſible for the arrangements of war to be conſiderably more a matter of art and ſkill in the general, than they were in ancient times; has accommodated the progreſs of complex art and ingenuity in the works of peace, with a correſpondent progreſs of complex art and ingenuity in the works of war;—but, does not

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not appear to have, of itſelf, in any eminent degree, either mitigated or inſuriated the ferocity of the military ſpirit, either augmented or diminiſhed the ordinary carnage and bloodſhed of warfare.

Has the change produced by this invention on the art of war, rendered war an art of which only civilized people can be capable?

But, has the invention of fire-arms produced ſuch an alteration in the practice of war, that it muſt henceforth be impoſſible for barbarians to over-run, and conquer the civilized world in the ſame manner as the anceſtors of the nations of modern Europe, over-ran and ſubdued the Roman empire? It has not. The great body of the military claſs in any ſociety, are uniformly obſerved to be in ſubſtantial civilization, in genuine refinement, conſiderably behind thoſe claſſes which are employed in the works of peace. There are ſome employments which indiſpenſibly require or even produce in thoſe who engage in them, ſuperior intelligence or extraordinary refinement. But, the diſcipline, the evolutions, the actual conteſts of war, have no ſuch tendency neceſſarily to enlighten and refine the minds of ſoldiers. A good ſoldier ought to be almoſt as much a machine as the gun which he levels, as much a mere inſtrument as the bayonet he puſhes. Reading, writing, ſcience, taſte, however they might grace his profeſſion, are little neceſſary to its actual exerciſe. That poliſh which is often ſtudiouſly exhibited by ſoldiers of higher rank, is an exterior, a ſuperficial poliſh which reaches not to the

the core of the character. Senſual pleaſures are all the enjoyments which the ſpirit of the ſoldier's profeſſion has a tendency to excite him to purſue; bodily exerciſes, fierceneſs, and obedience, are the ſole accompliſhments of character, which it tends to diſpoſe him to cultivate. But, if the profeſſion be thus in its nature, not neceſſarily connected with any extraordinary poliſh or illumination of mind; it follows, that all the diſcipline, the evolutions, the manœuvres of the modern warfare of fire-arms, may be acquired, together with thoſe arms, by an hoſt of barbarians; whoſe barbariſm will not hinder them from attaining every degree of perfection in the military arts; and will at the ſame time give them a hardineſs to endure toil, a fearleſſneſs of danger, a bold prodigality of life, a rugged firmneſs of nerves and muſcles, ſuch as ſoldiers levied from among the gentry, huſbandmen, and artiſans of a poliſhed and luxurious people, cannot at all equal. No; it were but mole-eyed philoſophy which ſhould tell, that an hoſt of invading barbarians, ſhould they triumph over our arms, would, however, be themſelves civilized, before they could once more overwhelm Europe in darkneſs and oblivion. All our ſuperiority in the military arts might be eaſily acquired by barbarians, who ſhould, yet, at the ſame time, learn nothing of the illumination of our ſcience, or the refinement of our manners. If ſuch a cataſtrophe

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ſhall be for ever averted; its prevention will be the effect of other cauſes, not of that change in the ſyſtem of the military arts, which has reſulted from the invention of fire-arms.—One great benefit, however, which ſocial life ſeems to have derived from this invention, is, that the inequality between the ſoldier and the ſervant of the uſeful arts of peace, has, by its means, been, in a good meaſure, taken away. The knight clad in complete ſteel, was, in the darker ages, equal to an hoſt of naked peaſants: His armour made him invulnerable: Againſt the force of his ſtrokes, they were defenceleſs. But, it is now no longer ſo; The ſoldier wears no coat of mail: The peaſant or the artiſan, can eaſily charge and diſcharge his gun: The uſe of the gun, and all the parts of the military exerciſe, are ſo readily to be learned, that the peaſant who has equal force and activity, needs not to look upon himſelf as at all inferior to the trained ſoldier. To this, in a conſiderable degree, is to be attributed that decline of the importance of the military order in ſociety, which has ſo conſpicuouſly taken place in the courſe of the period elapſing between the fourteenth and the nineteenth century.

Commerce.

But, although the uſe of fire-arms and artillery, for the firſt time in Scotland, in the former part of the fourteenth century, may appear to be an event which was, in the progreſs of time, to be followed by many

many consequences of extraordinary importance; and was to suggest many speculations eminently interesting and useful: Yet other things crowd upon our attention; and forbid us to dwell longer upon so seducing a subject of reflection and research. Commerce, particularly, although not flourishing in Scotland, especially during the first part of the period under our review; nor consisting in other articles of traffic than have been already enumerated; was however diligently encouraged as a branch of industry, by some judicious acts of legislature, which happily throw some light upon its state. After the more troublesome years of the reign of David the Second had passed, when the old laws were revised and enforced, and new laws enacted, to supply deficiencies of regulation: It was then carefully provided for the benefit of commercial industry, that burgesses and stranger-merchants should enjoy the same protection and free intercourse of buying and selling throughout the land, which they had been anciently known to enjoy. Wool, being now the grand staple commodity which Scotland furnished for exportation; a standard-weight was ordained to be provided by the King's Chamberlain, for the just weighing of the wool in every royal burgh. Money being in those days held to be wealth, in a peculiar manner, and by way of eminence; the exportation of it out of the realm was solemnly prohibited. Per-

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miſſion was freely granted to all the ſubjects of the kingdom, in one of the parliaments of Robert the Third, to purchaſe meal, in any place within the kingdom where they could find it expoſed to ſale, without being confined to their own immediate neighbourhood, or any one other particular place. As a proof of the importance of the fiſhing of ſalmons, as a branch of trade and induſtry, it is worthy of remark, that the ſlaughter of ſalmons in the ſeaſons underſtood to be allotted for their breeding, and recruiting in plumpneſs and ſtrength, was rigorouſly forbidden, under the penalty of a fine of not leſs than one hundred ſhillings. At the ſame time, articles of mere game, valuable more for the amuſement found in purſuing and taking them, than for any intrinſic utility for food or clothing to man, were carefully protected for the ſportſman. The ſlaughter of hares in time of ſnow was forbidden under the penalty of ſix ſhillings and eightpence: Proviſion was, with equal care, made to prevent the burning of heath upon the moors, at a time when it might deſtroy the neſts with the eggs or young of the moorfowls. The ſtandard of weights and meaſures was alſo carefully reviewed in the parliaments of Robert the Second; traced through its progreſs and variations from the days of David the Firſt; and fixed at thoſe points which ſeemed beſt to ſuit the circumſtances of the time. The inch was declared

clared to be equal in length to three full-sized grains of full-grown barley; or to the breadth of the human thumb, measured at the root of the nail. Of these inches there went thirty-seven to make up that greater measure of length which was called King David's ell. A pound was to consist of fifteen ounces, each weighing thirty-two penny weight; a stone of fifteen such pounds, but of only twelve London pounds. A gallon was to contain twelve pounds of water; a boll to consist of twelve gallons. These weights and measures were enjoined to be used alone throughout the realm: Yet was it impossible to cause to be universally adopted throughout all the remote parts of the kingdom, or on the domains of all the great barons, who claimed for themselves peculiar jurisdictions. To protect the markets against the dishonest artifices of butchers and fishmongers; the offering of foul swine, or corrupted salmon to sale, was rigorously forbidden, under the penalty of the forfeiture of the articles which were thus fraudulently and illegally exposed in the market*.

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But the regulation of the coinage was still an important matter of public concern. Possessing so few materials for commercial exportation, and demanding many articles of foreign produce or manufacture;

Coinage.

* Fordun. passim:—Regiam Majestatem:—Winton:—Fœdera, &c.

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manufacture; the Scots could not yet obtain from abroad any conſiderable quantities of the precious metals. Gold was far from being plentiful in Europe: Silver, indeed, more abundant. Scotland itſelf was not without native mineral ſtores of both, but ſuch ſtores as the Scots were ſtill very far from knowing how to avail themſelves of. In theſe circumſtances, then, there was neceſſarily a very great ſcarcity of the precious metals in the traffic of the Scots. Whatever ſtores of gold and ſilver might have been formerly imported, were either ſeized by the rapine of plundering invaſion, or carried away by the clergy, to be expended in bribes and ſplendid expence at the Romiſh Court, or drained away by that Court for indulgences, diſpenſations, and in various other forms of exaction, or paid away for articles of luxury and decoration, or laid out in the purchaſe of arms and the other apparatus of war. Not much current coin was required to circulate in the interior traffic of a country, of which the inhabitants were far from numerous, and were not at all accuſtomed to thoſe varied accommodations which induſtry provides. The clergy, the barons, the peaſantry, were, for the greater part, content with conſuming the native productions of the land, nearly in the ſtate in which they were afforded by nature, and without conveying them to any great diſtance from the ſpots on which they were originally

ginally produced. The interchange of commodities was not, in this caſe, ſo very complex, nor did they paſs through ſo many different hands, as to require their diſtribution to be aided by the circulation of the medium of money in any very large abundance. But, however ſmall the quantity required, if the quantity actually poſſeſſed, were ſtill ſmaller; this laſt quantity would neceſſarily be found unequal to the uſes to which it was applied. It was actually found ſo; being drained away by exportation, more copiouſly than it was returned through the channels of importing commerce. Fancying, that gold and ſilver alone, not the uſeful commodities which they repreſent, were wealth; the Scots were continually alarmed at the increaſing ſcarcity of money which they felt among them; and endeavoured to prevent its departure out of the kingdom by ſtatutes, and ſuch other proviſions as their unſkilfulneſs in the ſcience of political œconomy could ſuggeſt. Their proviſions were, for the moſt part, vain; the precious metals which they ſtrove to confine, ſtill, Proteus-like, eluded their graſp. The ranſoms of their captive King and nobles drew out of the country, larger ſums of money than could be returned into it, either by occaſional ſubſidies from France, or in ranſoms for priſoners taken in battle by the Scottiſh warriours. Beſides, even the growing proſperity of the kingdom in the days of the two firſt of the Stewarts, beginning to demand a larger

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larger quantity of circulating coin for the uſes of trade, than the wealth of the land could yet ſupply, tended to produce an inconvenient ſcarcity of money, which was in truth a ſymptom not of the miſery of the people, but of the improving condition of wealth and induſtry in the land. Thoſe valued articles, too, of foreign manufacture which were procured from abroad, although they might continually occaſion the exportation of the ready money out of the kingdom, yet did not, by that, ſo much impoveriſh the nation, as to a careleſs obſerver they might ſeem to do. The money was carried away; but inſtead of it there was fixed in the country—in the works of architecture, in houſhold-furniture, in the utenſils of art and labour, in a thouſand other forms, a quantity of value, which was not to be deſtroyed but by the ſlow lapſe of time, which could not be removed or ſquandered away, and which ſerved not only to enrich the land by its actual value, but alſo to awaken new ingenuity, to prompt to new induſtry, and to unlock all the ſprings of national opulence. Yet, it muſt be confeſſed that, in the advantages of revenue, which the Kings ſometimes endeavoured to derive from their authority over the coinage and the regulation of money, there exiſted a cauſe of the deterioration of the coin, and of the diminution of the money in the kingdom, which cannot

not be referred to any circumſtances connected with riſing proſperity*. SECT. II. A. D. 1330-1425

IN that period which is the ſubject of this Fourth Book of our Hiſtory, new coins were ſtill, from time to time, ſtruck; and from time to time the ſcarcity of the precious metals continued to ſuggeſt the idea of coining ſtill a greater and a greater number of pieces of coin of the ſame denomination out of the ſame weight of metal. The coins of the reign of David Bruce were groats, half-groats, pennies, half-pennies, and farthings: Aberdeen and Edinburgh were the places of their coinage. They were at the rate of about twenty-nine nominal ſhillings out of the pound; and one groat appears to have been about ſeventy-two grains; the penny, by an unaccountable inequality, only thirteen grains; the half-penny nine grains. The coinages of the reign of Robert the Second were ſtruck at Edinburgh, Perth, and Dundee. They were of the ſame variety of denominations, as thoſe of his predeceſſor; but the weight was ſtill diminiſhed, ſo that the groats of this King's coinage have been found to weigh only from fifty-ſix grains to ſixty-four and an half: Out of the pound of ſilver, theſe coinages produced from twenty-nine ſhillings and four pennies, even to thirty-three or thirty-four ſhillings. The

* Fordun. &c.

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The ſame ſpecies were alſo ſtruck, during the reign of Robert the Third, at Edinburgh, at Perth, and at Dunbarton. The reduction of the value was ſtill continued; ſo that, out of the pound of ſilver, there was now coined not leſs than from thirty-two to fifty ſhillings out of the pound Troy of ſilver; and the weight of the groat was proportionately diminiſhed. All this money was coined of ſilver alone. Gold coins were rare; the uſe of copper was not yet introduced into coinage. A remarkable ſtatute of King David the Second determines the quantity of ſhillings, as above ſtated, to be coined out of the pound of ſilver; and, at the ſame time, acquaints us with ſome of the regulations of the mint, by ordaining; that of the nine and twenty ſhillings and fourpence to be coined out of the pound of ſilver brought by any perſon into the royal mint for coinage; ſeven pennies ſhould be retained for the King's uſe, one for the warden of the mint, eleven for the maſter of the money and the workmen for their pains in the coinage. It is alſo to be remembered, that beſide increaſing the number of ſhillings to be coined out of their nominal pound of ſilver, the regulations of the Scottiſh mint, at this time, likewiſe leſſened the weight of the pound by the abſtraction of ten penny weight from it*.

The

* Anderſoni Diplomata:—Cardonnell's Numiſmata:—Pinkerton on medals, &c.

THE arts marking even the firſt aſpect of the face of the country, architecture, navigation, war, commerce, and coinage which furniſhes the moving engines of commerce; the moſt eminent diviſions of human labour; were, in the fourteenth century, thus carried on in Scotland.—We have ſtopped to view only thoſe things in which theſe arts, as practiſed in this period, ſtrikingly differed from their condition in Scotland, in the period immediately preceding. To have minutely reviewed them through every part of the ſyſtems which they ſeverally formed, had been too tedious, and could not have commanded that eager attention, wanting which facts and ſpeculations, muſt ever be detailed alike in vain. SECT. II. A. D. 1330-1425

II. FROM the *labours*, we aſcend to the KNOWLEDGE by which the Scots were, in general, diſtinguiſhed during the courſe of the fourteenth century.

OF PHYSICAL KNOWLEDGE, they had, as yet, nothing that could be called ſcience. Many were the facts, and even general facts, known to them concerning external nature. But, ſtill theſe were not combined into ſcience, nor viewed even among the clergy, with any thing of a philoſophic eye. When the arts were improved; it was by imitation from KNOWLEDGE.

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from the arts of ſtrangers, or by inventions, accidentally and undeſignedly ſtruck out; not by ſyſtematic reſearch, by trains of ſkilfully imagined experiments, or by regular ſcientific induction. In Italy, in France, in England, ſcience had already begun to revive. The illuſtrious Roger Bacon had made aſtoniſhing proficiency, even in phyſical ſcience. But the remoteneſs of Scotland from Conſtantinople, and from Italy, the foci of ſcientific illumination; the poverty and barbariſm of its people; the cares of its clergy, divided between the buſtle of war, and the management of their domeſtic œconomy; were exceedingly unfavourable to the introduction of the phyſical ſcience of the more enlightened nations of the Continent into this rude corner of a northern iſle. Aſtrology conceiving vain ideas of a myſterious influence of the heavenly bodies upon the fortunes of mankind, can ſcarcely deſerve any name allied even to miſtaken ſcience. Whether there might not be much more knowledge than that of the mere artiſan or mechanical engineer, in the contrivances by which William Bullock, maintained the caſtle of Coupar againſt all the aſſaults of the beſieging Scots, and again taught the Scots to conquer the reſiſtance of the garriſon of Perth, in ſpite of the ſtrength of thoſe works by which they were protected; is more than can be well aſcertained, unleſs the detail of

the plans and expedients of Bullock, had been better preſerved for our information.

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But, of all thoſe things which crowd upon obſervation, when we conſider the ſtate of the Scots in reſpect to knowledge, during the thirteenth century, there is none more remarkable than the inſtitution of the University of St Andrew's. In Italy, in France, in England, the revival of ſome ſort of learning had already given occaſion to the inſtitution of Universities; which were eſtabliſhments of a monaſtic character, deſtined not merely for the exerciſe of religious duties, and for ſeclusion from the world, but for ſtudy and for inſtruction in the ſeveral departments of learning and ſcience. *Students*, were encouraged to repair to them for the purpoſe of hearing the lectures of great maſters; *fellows* were maintained for the continued proſecution of thoſe learned labours which they had begun as ſtudents; and *profeſſors* were appointed to teach and to read lectures; which were then the more neceſſary and the more valuable, becauſe books were rare, and ſcarcely to be obtained, but by the rich and great. The firſt inſtitution of ſuch Universities was attended with wonderful ſucceſs. They were long ſo few, that ſtudents from almoſt all the other countries of Europe, would eagerly flock to that particular country and city in which there was an Univerſity

University of St Andrew's.

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eſtabliſhed. Never did the ardour of that appetite for knowledge, which is naturally inherent in the human mind, more conſpicuouſly appear. It might have been ſuppoſed, that the minds of all the inhabitants of Europe were ſo torpid under barbariſm and ignorance, that no invitations of knowledge would rouſe them from the *oblivious pool* in which they were ſunk. But it was far otherwiſe. Hardly had Univerſities been ſooner inſtituted, than all the ingenuous youth felt the charm of knowledge, and reſorted to imbibe it, with a general eagerneſs which gave to the new ſeminaries the allurement of *faſhion*. At Piſa, at Paris, at Oxford, the ſtudents were often many thouſands. That ardour with which the leſſons of the philoſophers of ancient Greece, had been heard, was renewed amidſt the glimmering darkneſs of knowledge in modern Europe: And the *Book of the Sentences*, and the dry volumes of the canon-law, and the quirking logic of a Duns Scotus, were ſtudied with the ſame fondneſs with which the moſt famous philoſophers of ancient Athens had been heard in the *Academy*, or in the *Lycæum*. If traced to its ultimate cauſes, this incipient revival of knowledge, will perhaps be found to have been owing chiefly to two things which have long been execrated, as having operated to prevent it. Theſe were—*the grandeur and the ſecure eſtabliſhment of the Romiſh Church and hierarchy*;—together with the

Genuine cauſes of the revival of letters.

the *now equally ſecure eſtabliſhment of the feudal government throughout all Europe.* Until the Romiſh hierarchy attained the height of its opulence and authority; learning once loſt from among its members, could not again become the object of their cares. Until the feudal governments were alſo permanently eſtabliſhed, fieffs made hereditary, and certain kingdoms with ſtability fixed on ſure foundations, within certain boundaries; ſuch inſtitutions as thoſe of *Univerſities* for the inſtruction of youth and the propagation of knowledge, could not have been duely protected, nor readily frequented. Yet, to the operation of this grandeur of the hierarchy, and of the feudal governments, there was neceſſarily added in order to the revival of knowledge and the inſtitution of Univerſities,—the influence of *commerce* exciting men's minds to new activity, and kindling up the light of knowledge where only ſordid wealth was ſought;—of the continual *correſpondence* and intercourſe which being kept up by the clergy of all other countries with Rome, tended to advance knowledge, by bringing into Italy whatever was known in other lands, and ſending back the knowledge of Italy in return;—of the *accidental caprices* of a ſuperſtition which, while it ſought by every mode of coſtly ſacrifice, to propitiate the favour of heaven, hence came to be ſometimes at a loſs in its choice of means for varying the forms of its ſacrifices, ſo as

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to

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to give them that distinction which might be supposed requisite to make every one of them duely acceptable.

Particular circumstances attending the institution of the University of St Andrew's.

It was in the year one thousand four hundred and ten, that the first rudiments of a University began to be formed at St Andrew's, in consequence of a rising ardour for knowledge among the clergy and others resident in that ecclesiastical metropolis. Henry Wardlaw was then bishop of the see; James Bisset was prior of the monastery. About Whitsunday upon that year, before any regular institution of an University had yet taken place there; Lawrence of Lindores began to deliver a course of lectures, upon the *Book of Sentences*, with great applause; for he was a man distinguished equally by his profound knowledge of theology, and by the gravity and excellence of his life. On *the Canon-law*, the lectures were read by Doctor Richard Cornel, archdeacon of Lothian, and afterwards by other men of acknowledged eminence in that study. John Gill, William Fowlis, and William Croiser, were the first lecturers in *philosophy* and *logic*. These teachers continued their labours for two years and a half before the Pope's sanction could be obtained to authorise the institution, and to dignify it with the same privileges which other Universities enjoyed. It was on the third day of February, in the year one thousand four hundred and

and thirteen, that the anxiously expected bull was received from Rome. At the glad news, all the bells were rung; and on the morrow, which was the sabbath, the clergy belonging to the Cathedral were all convened. The bull was solemnly read in their presence. By it the privileges of an University were granted to the new institution; and the bishop of St Andrew's, the founder, was nominated to be its chancellor. The priest and the congregation then solemnly sang *Te Deum*; walking in grand procession to the high altar. All then kneeling on the ground; the bishop of Ross, who assisted at the ceremony, pronounced a verse out of the Holy Scriptures, together with the collect in the service, beginning *Deus qui corda*. After these solemn acts had been thus performed; the rest of the day was devoted to festivity. Even all night long, the rejoicings ceased not, but bonefires were kept blazing in the streets; and wine and convivial mirth were plenteously enjoyed in the houses within. Not even thus content, the patrons of the University appointed another festival in honour of the important institution, to take place on the second day of March next. On this day also, the same ringing of bells, singing of hymns by the clergy, festive dances by the people, and the sounding of the solemn music of the organ, distinguished the important occasion. The bishop of Ross again preached; and in the procession, with an innumerable

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merable multitude of the common people, there were no fewer than forty eccleſiaſtics in full orders, beſide young friars whoſe noviciate was not yet paſt, and young men deſtined to the prieſthood, but who had not yet attained the age of ordination. The venerable chroniclers who have recorded theſe circumſtances of this important event, while they fondly dwell upon the particulars of the ſolemnities, by which it was celebrated; lament however, that after the inſtitution of this Univerſity, the clergy, for whoſe inſtruction chiefly it was eſtabliſhed, inſtead of availing themſelves of its advantages, by a full courſe of ſtudy, were, in their days, wont to reſt ſatisfied with ſuch a mere ſmattering of knowledge, as might be acquired by a very ſhort and partial reſidence at this ſeat of inſtruction*.

Reflections on the ſtudies of this age.

Let it not move our contempt, that the Theology *of the Book of Sentences*; the Canon-Law of the Decretals; Logic; and Philosophy; were the only branches of erudition and ſcience, for the teaching of which there was proviſion made in this infant Univerſity. In all ages, inſtitutions muſt be founded upon views of utility; theſe views muſt be regulated by the knowledge of nature and life which already prevails: And the ſavage who prefers ſome trivial object to another in our eſtimation of an hundred times greater value,

* Fordun. XV. 22:—Boeth:—J. Major. Buchan. &c.

lue, is not to be by us contemned as weak; but his approbations and diſlikes are to be marked as facts curiouſly characteriſtic of the action and re-action of the human mind in a peculiar combination of circumſtances. The inſtitution of this ſeminary of education was in a particular manner deſtined for the education of the clergy. The learning taught in it, was therefore to have a particular reference to the duties and qualifications of the clerical ſtate: Except thoſe four branches of learning, none elſe were accounted of ſufficient gravity; none elſe were directly applicable in the diſcharge of the clerical functions; nay, ſcarcely any others beſide theſe, had as yet an exiſtence. Even the canon-law, the book of ſentences, the logic, and the philoſophy, would operate on the minds of the ſcholars of that age with an awakening, an irradiating, an inſpiring force,—ſcarcely leſs powerful—than that with which—the diſcovery of the forgotten manuſcripts of the immortal works of the literary heroes of Greece and Rome; or the invention of printing, which at once endowed knowledge with all thoſe millions of tongues which have been poetically aſcribed to fame; or the more recent diſcoveries of the firſt principle of the harmonious movements, and the relations of all the parts of the ſyſtem of material things,—and of that conſent of utility and order, which is the baſis of all the laws of the moral world; have flaſhed through the intellect of man,

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man, and have aroused it from paralytic torpor to pure sensorial vitality. We pass, in the progress of social improvement, as it were through a series of wonderful and interesting landscapes; each so totally different from all before it, that the scenery it presents, is, of necessity, like to nothing that could be before conjectured concerning it. It is as if we wandered through a fairy palace, or through some enchanted wilderness; in which, at every step we advanced, new objects were still to arise, fitted to excite our utmost surprize and astonishment. And could the institutors of the University of St Andrew's, but have conjectured, what an active elasticity of mind hostile to priestly artifice and usurpation, was to be awakened by the teaching of that science and erudition, which seemed indispensibly requisite as qualifications for the sacerdotal profession; they would undoubtedly have shrunk back with terrour and abhorrence from the generous attempt they made. Prior to this period, the Scots had begun to resort with great diligence, not only to the Universities of Italy and France, but still more to the nearer ones of England, for the purposes of scholastic study. John Barbour, the distinguished author of a metrical history of Robert Bruce, in the year one thousand three hundred and fifty-seven, while he was already archdeacon of Aberdeen, obtained permission from the King of England, to repair to Oxford for the prosecution of his studies, with

with three ſcholars likewiſe attending him from Aberdeen. And in the ſame year, a more comprehenſive letter of paſſport, was granted by the Engliſh King, permitting Scottiſh ſcholars in general to repair freely to either Oxford or Cambridge, for ſtudy, during the next three years, ſecure from all moleſtation. It is probable, that in the progreſs of the fourteenth century, the reſort of ſcholars from Scotland to the Engliſh Univerſities, became ſo conſiderable, as to alarm the patriotic clergy of Scotland, and to ſuggeſt the propriety of the inſtitution of ſeminaries for inſtruction at home, which might take away the neceſſity of ſuch frequent emigration for the purpoſes of ſtudy. Beſides, the inſtitution of Univerſities being once begun, and having become an object of general attention among the dignified eccleſiaſtics and the princes of Europe; it was natural that ſome of the excellent and eminent among them, ſhould long continue to contend for the honour of being diſtinguiſhed as the founders of ſuch inſtitutions. The munificence of the Balliols had already provided a college at Oxford for the reception and accommodation of the Scottiſh ſtudents: But while the very name of Balliol was unpopular in Scotland; the patriotic Scots would not wiſh that their ſtudious fellow-countrymen ſhould avail themſelves even of Balliol's benefactions.—It is remarkable; that no long time had paſſed from the æra of the inſtitution of the Univerſity of St

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Andrew's; till its members found an opportunity of taking an eager part as theologians and canonists, in a grand eccleſiaſtical controverſy, by which all Europe was ſet at variance with itſelf. The council of Conſtance had depoſed Pope Benedict the Thirteenth from the pontifical throne; as being unable by other means, to ſettle thoſe diſturbances which had been excited in the church by the cabals and contentions of a number of rival pretenders to the papacy. Inſtead of him, they had exalted Guido Colonna, who, upon his inauguration, aſſumed the name of Martin the Fifth. To win the Scottiſh church to deſert the cauſe of Benedict, and to own the authority of the council, and of the Pontiff whom it had nominated; there came meſſengers from Sigiſmund King of Bohemia; and from the council itſelf, the venerable abbot of Pontiniac. But the duke of Albany, then Regent, and the Scottiſh clergy were more zealouſly attached to Benedict, than the people of any other kingdom in Chriſtendom. At the inſtigation of the Regent, Robert Harding, an Engliſhman, a maſter in theology, undertook to defend the rights of Benedict againſt the authority of the council, and the perſuaſions of its ambaſſador. The whole members of the Univerſity aroſe with one voice againſt him. Supported, however, by the Regent, he withſtood them with great pertinacity of argumentation, and bitterneſs of invective.

First controverſy of the Univerſity of St Andrew's.

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A general assembly of the national clergy was convoked to meet at Perth, for the purpose of coming to a determination between Benedict on the one hand, and on the other Martin and the council. Before that assembly, Harding with great zeal supported in a long disputation, the cause of the former. He was opposed by Mr John Elwood, rector of the University, and by other theologians, whose talents and learning were in high estimation. The dispute was conducted with much minute subtlety and coarse invective. At last, the propositions maintained by Harding were solemnly condemned; the authority of the council of Constance, the cause of Pope Martin, the logic of the University of St Andrew's, triumphed. And this was the first important public occasion upon which this University was led to exert itself publicly as an umpire of controversies, as a guardian of the orthodoxy of the church*.

Elegant Literature.

As to elegant learning; it had not yet made any considerable proficiency among the Scots. Those eminent men of reputed Scottish origin, who have been said to have distinguished themselves in the conversion of the ancient Germans, among the literary ornaments of the court of Charlemagne, in exalting the fame of the University of Oxford, or in adorning that of Paris; a Boniface, an Alcuin,

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* Warton's history of English poetry:—Fordun. XV. 24. 25.

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a Michael Scot; a John Duns Scotus, a Scotus Erigena; ſeem to have acquired and diſplayed their learning ſo much more in foreign countries, than at home; it is ſo uncertain whether they were actually Scots by birth, and not rather natives of ſome other country; and of the monuments of that learning which made them once, illuſtrious, the remains are ſo ſmall; that it appeared vain to labour to bring them forward into any conſpicuous place in the hiſtory of the literature of Scotland, for the age in which they lived. Nor was the learning attributed to them, of the elegant kind. Aſcetic piety and the mummeries of ſuperſtition, ſcholaſtic theology and logic, the vanities of aſtrology, or the myſterious manipulations and pretences of alchemy, have afforded the only grounds upon which their reputation has been built.—But, Scotland, during the preſent period, if it have in ſcience, nothing greater to boaſt of, than the lectures and diſputations of the members of the newly inſtituted Univerſity of St Andrew's; has however ſome ſpecimens to ſhew of increaſing attention to the art of elegant popular compoſition, and to the improvement of its vernacular language. The monks amuſed their leiſure, by compoſing many ſmall copies of verſes, ſome in the vernacular language of the country, others in the Latin tongue, the dialect of the ſervices of their religion. Fordun, and his continuators, have inſerted many of

of theſe in their chronicle, which ſerve as ſpecimens of the taſte and genius of the times, of which they have preſerved the hiſtory. Whether in the impure Latin which was then in uſe, or in the vulgar language; they are ſtill diſtinguiſhed by ſuch a fantaſtic attention to the tricks of alliteration and the tinkling of rhymes, as ſeems to have withdrawn their cares from the production of impaſſioned ſentiments, or vivid imagery. The following verſes cited by Fordun, as a popular imitation of a well known paſſage in the prophecies of Iſaiah, are eminently beautiful: Sect. II. A. D. 1330-1425 Poetry.

" And for ſwet ſmell at thi noſe, ſtink ſall thou find;
" And for thi gay gylt girdyll, a hard ſtrop ſal the bind;
" And for thi criſp kell, and fair hair, all bellit ſall thou be;
" And as for wild and wanton luik, nothing ſall thou ſee;
" And for thi ſemat ſeeming cote, thi hair ſall be unſet;
" And for thy paintit face and proud heart, in hell ſall be
" thi ſet."

To feel, with due conviction, the beauty of theſe verſes, it is requiſite that we remember that ſuch words in them, as may ſound to our ears familiarly mean, had not then loſt, by frequent and degrading uſe, all ſuſceptibility of delicacy and dignity in expreſſion. But we have loſt that original accentuation and pronunciation of the words, which may probably have given melody to whatſoever may ſeem harſh in the verſification: And although the verſification were even to the ears of the contempora-

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ries of the poet, as harſh as it is to ours; yet in that infancy of poetical compoſition, harſhneſs might ſeem melody, while there was nothing but rugged unmeaſured proſe to compare it with. Another tranſlation of a ſatyrical paſſage againſt the fair ſex, from an author of the name of Babius, is more gay and humorous in the caſt of its ſentiments and imagery.

Curious ſatire on women.

"The unlatit woman the licht man will lait,
"Ganges coitand in the curt, hornit lik a gait,
"Als brankand as a bole in frontis, and in vice,
"Mair venumit is hir luke than the cocketrice,
"Blythe and bletherand in the face, lyk ane angell,
"Bot a wiſle in the tail, lyk a draconnell,
"Wyth prik-youkand eeris as the awſk gleg;
"Mare wily than a fox, pungis as the cleg.
"Als ſikir for to hald as a water-eeil;
"Bot as true in her toung as the mekyl deil."

Theſe verſes; compoſed from the Latin of Babius, either by ſome poetical monk of the reign of David Bruce, or of the two firſt Stewarts,—or perhaps by John Fordun himſelf, who lived within the period, which is the ſubject of this Fourth Book; are not inferior, either in the expreſſive energies of the language employed, or in the vigour of conception with which the poet appears to have apprehended the ſubjects of his verſes, and the alluſions by which he illuſtrates them,—to any of thoſe many paſſages in the great contemporary Engliſh poet Chaucer, which are addreſſed to the ſame theme

theme of invective againſt the female ſex. This theme of invective was naturally a favourite one, in an age which was at once groſs and luxurious; in which ſo large a portion of the community devoted themſelves to a celibacy that was often unchaſte; and in which, too, from the narrowneſs of the range of the ordinary knowledge of the age, the ſubjects for poetical compoſition were neceſſarily not numerous. Verſified leſſons of piety or morality, legends of ſaints, tales of the adventures of knight-errantry, ſongs celebrating the heroic deeds of patriots and heroes in their actual battles againſt the enemies of their country, and ſome few ditties of love, were the only other popular ſpecies of poetical compoſition, at this time, common in Scotland*.

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But, in this age flouriſhed John Barbour, archdeacon of Aberdeen, whoſe metrical hiſtory of the life, atchievements, and reign of Robert Bruce, is one of the fineſt poems which were in this age compoſed in the vernacular language of any of the nations of Europe. Barbour was born before the year one thouſand three hundred and thirty. Either his genius, or the influence of his relations and friends, early recommended him to the diſtinguiſhed preferment of the archdeaconry of Aberdeen. We have ſeen that it was in the year one thouſand three hundred and fifty-ſeven, he went with three ſcholars

John Barbour.

* Fordun. XIV. 30, 31.

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lars attending him, to profecute his ſtudies at the Engliſh Univerſity of Oxford. He was a procurator for the biſhop of Aberdeen in a general convention of the nobles, clergy, and burgeſſes, which met at Edinburgh in that ſame year, for the purpoſe of negotiating a treaty for the ranſom of King David Bruce. In the year one thouſand three hundred and ſixty-five, he obtained permiſſion to travel through England towards France, with ſix horſemen attending him. It was eight years after this that he finiſhed his hiſtory of Robert Bruce. This work was not only the firſt conſiderable compoſition written in the vernacular language of Scotland; but the firſt profeſſedly hiſtorical work, in which any part of the hiſtory of the ancient Scots was recorded in detail. It may be regarded as a ſort of imperfect epic poem; for the expulſion of the Engliſh out of Scotland, and the eſtabliſhment of the national freedom of the Scots, are the connected ſubjects of which it treats, and which it conducts to a happy accompliſhment. As a hiſtorical work, again, it imperfectly combines the two methods of *annals*,—and continued *hiſtory* attentive to the progreſs rather of events than of time. Among the Scots, when Barbour wrote, there burned an ardent ſpirit of national freedom, naturally kindled and maintained by the long conteſts in which they had been engaged, and which were ſtill, from time to time, renewed; and

this ſpirit breathes a fire into Barbour's poem, ſuch as his genius would perhaps have been otherwiſe unable to animate it with. His genius is evidently of the middle claſs, incapable of the ſublime, the deeply pathetic, the awfully terrible, the impreſſively pictureſque; but lively, and capable of apprehending, and of communicating all its conceptions clearly. The ſtyle is a dialect of the Anglo-Saxon, uninfected with any conſiderable intermixture of Norman French; and although with ſomewhat more of Gaelic; yet not with ſo much as might form any conſiderable proportion of the whole ſyſtem of phraſeology.—His merits in the reſpect of hiſtorical fidelity, have been permitted to reflect a praiſe upon his poetry, which it could not otherwiſe have obtained: Or, perhaps, the compariſon of his works with the writings of the contemporary poets of other nations; together with that happy fortune which has preſerved his ſtyle from becoming obſolete; may have tempted unſkilful judges of poetical excellence, to exalt him with an unmeaning extravagance of applauſe. It is probable, too, that the great and deſerved popularity which this poem long enjoyed, by reaſon of the national importance of its ſubject, and its own intrinſic merits; may have contributed ſomewhat to fix the phraſeology in which it is written, and to prevent it from falling ſo ſpeedily as it might otherwiſe have done,

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into general diſuſe. So highly was the work of Barbour eſteemed for hiſtorical accuracy, even at no long diſtance of time from the period of its original compoſition; that Winton has, of purpoſe, declined, to record in full detail, all the tranſactions of the reign of Robert Bruce; alledging that this taſk had been performed by archdeacon Barbour, in ſuch a manner as might well be ſuppoſed to ſuperſede all ſubſequent attempt*.

Blind Henry.

Of nearly the ſame age, yet probably ſo much later as to have flouriſhed during the firſt half of the fourteenth century, was the famous Blind Henry, the author of the metrical hiſtory of the adventures of William Wallace; a writer who, although no leſs a favourite with the vulgar, than Barbour, has not been honoured with the ſame approbation of the pretenders to taſte and erudition, either in regard to hiſtorical veracity, or to the poetical beauties of his work.

In reſpect to hiſtorical veracity, it muſt be confeſſed that Blind Henry cannot be juſtified. He ſpeaks of an original Latin hiſtory of the life and adventures of Wallace, which may indeed have exiſted, but is now no longer to be found. His narrative occaſionally agrees more or leſs perfectly with the facts related by Fordun, or by the Engliſh hiſtorians

* Fordun. L. XII:—Winton. Book VIII: Pinkerton's edition of Barbour's life of Bruce.

hiſtorians of the ſame period; but often differs from them, and contains many adventures of which they ſay nothing, and which contradict general probability.—It ſhould ſeem that Henry, being moſt probably a blind, mendicant friar; poſſeſſed that activity of mind, for which perſons labouring under the misfortune of blindneſs, have, in many conſpicuous inſtances, been diſtinguiſhed. Barbour's life of Bruce was then in every hand, on every tongue. The atchievements of Wallace, as well as thoſe of Bruce, were the theme of univerſal admiration and fond applauſe. Henry's emulation of Barbour, and admiration of Wallace, were excited together. In the ſolitude of blindneſs, in the gloom of perpetual darkneſs, he cheared his penſive mind, by expreſſing in verſe, whatever information he could obtain concerning the deeds of that patriot hero whom Barbour had left unſung. But, unwritten tradition cannot long preſerve a faithful memorial of any ſeries of facts: If there were any written records of the deeds of Wallace preſerved in any of the monaſteries; yet Henry, under the diſadvantages under which he was neceſſarily placed, could not readily have acceſs to every one of theſe: He was obliged for the moſt part to accept the popular tale of thoſe adventures which he had reſolved to ſing; and in that tale, the real acts of Wallace were confounded with many of thoſe of Bruce, of the Douglaſſes, and of other

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other Scottiſh heroes; as well as otherwiſe diſguiſed by popular and traditional inaccuracy and extravagance: When he had compoſed his poem, he could not himſelf commit it to writing; he could not, like Barbour, ſecure it from corruption, by depoſiting it in the libraries of the monaſteries, or among the great: It was intruſted to the common people; and was probably ſpoiled by their fondneſs, as their favourites commonly are. Hence the origin of thoſe inaccuracies in fact, which obviouſly diſfigure Henry's poem. Hence it is, that we have not dared to employ it as a genuine hiſtorical authority, except only where its teſtimony was confirmed by graver evidence. Henry had, however, made the moſt effectual proviſion for perpetuating his own name, and for eternizing the fame of this hero.

When theſe deductions have been made from the merits of Henry's work, conſidered as a record of hiſtory; high applauſe may be with confidence challenged to it, as a poem, the production of a rude, unlettered age. So far is it from being inferior to the work of Barbour in poetical excellence; that it, on the other hand, riſes as much above it, in this reſpect, as it is inferior in hiſtorical utility. Barbour's work has been often ſaid to excel Henry's no leſs in beauty than in truth: But, when the judgment was pronounced, regard was had

had not to the ſentiments, the imagery, the diction, the verſification of the two poems, but to other accidental and extrinſic qualities upon which genuine taſte would never found its judgments. Henry's work does not indeed poſſeſs the advantage of the ſame epic unity of deſign as that which characteriſes the poem of Barbour: It is merely a metrical life of William Wallace; not including the commencement and completion of any one great action; unleſs perhaps we ſhould regard as ſuch, Wallace's unceaſing ſtruggle to free his country, and in his death the final diſappointment of all his hopes and efforts. Barbour's poems is in rhyming couplets of eight ſyllables in the line; but Henry's in ſimilar couplets, of ten ſyllables in the line, poſſeſſing that ſonorous dignity of verſification, which taſte has approved as the quality belonging to this meaſure, more than to any other in the Engliſh language. There is an energy, a condenſation of thought in the lines of Henry, which far ſurpaſſes the feebler verſes of Barbour. The exordium of his firſt book, is extremely happy, cloſely pertinent, but neither ſo pompous as to promiſe mighty things which cannot follow, nor ſo trivial as not to excite the reader's expectation.

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« Our

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" Our Anteceſſowris yat we ſuld of reide,
And hald in mynde their nobill worthy deide,
We lat ourſlide, throw werray ſlouthfulneſs,
And caſt us evir till uther beſynes.
Till honour ennymys, is our haile entent,
As has beyne ſeyne in yir tyms bywent.
* * * * * * * * * *
Thit we ſuld thynk one our bears befor.
* * * * * * * * * *
We reid of ane rycht famous of renoune,
Of worthi blude that ryngs in yis regioune:
And henſefurth, I will mey proces hald
Of Wilzham Wallace, as ye haf hard beyne tald."

There is uncommon force and compreſſion of thought in the following enumeration of the evils which the Engliſh uſurpation had inflicted upon the Scots,

" Quhen Saxon's blude into yis realme cummynge,
Wyrkand the will of Edward that falſe King,
Mony gret wrang yai wrocht in yis regioune,
Deſtroyit our lords, and brak their byggyngs down.
Both wiffs an wedowis they tuk all at yair will,
Nonnys madyins quham thai liket to ſpill.
King Herod's part yai playit into Scotland,
Of yong childer yat yai befor yaim fand,
Ye Byſchyppryks, that war, of gretaſt wale,
Yai tuk in hand of yair Archbyſchops haile:
No for the Pape, thai wald na kyrks forber,
Bot gruppyt all be violence of wer.
Glaſkow yai gaif, as it our weil was kend,
To Dyocye of Duram to commend.

Small

Small benefice that wald yai nocht perſew
And for the ritch full worthy clerks yai ſlew.
Hangyt Barrownys, and wrocht full mekill care,
It was weylle knawyn, in the Berneys of Ayr,
XVIII ſcore putt to yat diſpitfull dede,
Bot God abowyn has ſend us ſum ramede".

If we can for a moment forget, that the phraſeology of theſe lines has loſt in part its dignity by becoming familiar, and its grace by waxing obſolete; we ſhall not fail to diſcover in them an energy of thought and expreſſion, more worthy perhaps of the orator than of the poet, but ſuch as none but a man of powerful genius would eaſily diſplay.

The diſguiſe in which Wallace was hidden from the purſuit of the Engliſh, is in the ſame firſt book, painted with great poetical, and even comic force.

" A *rouſſat gown* of her own ſche hym gaiff
Apon his weyd, yat *covrit all the laiffs*;
A *ſowdly courche* our hed and nek leit fall,
A wowyn quhyt hatt ſche braſſit on with all;
For yai ſuld nocht lang tary at yat in,
Gaiff hym a rok, ſyn ſet hym doune to ſpin."

There is all the fire, the pathos, the majeſty of the epic poem in the deſcription of Wallace's combat with the Engliſhmen at Ayr, which is contained

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ed in the ſecond book; in the fine reflections in which the poet ſympathizes with the ſufferings of his hero; in the lamentation which he aſcribes to the friends and kindred of Wallace; in the ardent, and highly characteriſtic ſoliloquy which he makes the unfortunate warriour pour forth in his dungeon. The tenderneſs and fidelity of Wallace's foſter-mother are beautifully natural and intereſting, and are expreſſed with the moſt maſterly ſkill; while the intervention and the prophecy of Thomas the Rhymer, are introduced at the very ſeaſon at which they are the moſt wanted for the purpoſe of reviving, exalting, and extending the reader's expectations. The portrait of Fawdown, in the fourth book, is drawn with the hand of a painter, ſkilful to make colours, lines, and attitudes expreſs with the moſt ſtriking effect, all the force of a peculiar and intereſting, although unpleaſing character.

"To Wallace there cam ane yat hecht Fawdoun,
Melancoly he was of complexioun,
Hewey of ſtatur, dour in hys contenance,
Sorrowfull, ſadde, ay dreidful but pleaſaunce".

In this ſame fourth book, the mixture of deceit, unthinking levity, and tenderneſs in the character of Wallace's miſtreſs at Perth, are deſcribed with a felicity and a ſkill which have rarely been excelled, and will not eaſily be equalled. The ſtrong ne-

ceſſity and the violent irritation of mind by which Wallace was urged to ſlay his follower Fawdoun, with all the circumſtances of his flight from Perth to Stirling, are related, in the fifth book, with a fire of ſentiment, with a ſkilful ſelection of particulars, with a pictureſque expoſition of imagery, with an happy ſimplicity of expreſſion, clear, yet forcible, which could not have been exhibited by any but the true poet. That Henry's life of Wallace has always been, even more than the life of Bruce, a favourite with the vulgar, is a proof that the merits of poetical compoſition, are ever to be moſt ſurely eſtimated by its power to impreſs the feelings, to kindle up the paſſions, to ſeize, to ſuſpend, to chain down the attention. That critics ſhould have preferred the poetry as well as the hiſtory of Barbour's work, is a proof, that critics are ſometimes apt to decide without examination, to miſtake one quality for another, and to fancy that ſo great a man as an archdeacon muſt neceſſarily poſſeſs higher poetical genius than a blind itinerant bard, even at the diſtance of ſo many centuries after death has made both the rivals equal*. SECT. II. A. D. 1330-1425

SUCH are the moſt remarkable ſpecimens which yet remain, of the ſucceſs with which the vernacular language of Scotland was cultivated in literary compoſition, during the fourteenth and in the beginning Language.

* Motiſon's edition of Blind Harry's life of Wallace.

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ginning of the fifteenth century. It is remarkable, that the ſtyle of theſe two works of Barbour and Blind Henry, are almoſt without variation, the language ſtill ſpoken by the peaſantry of the middle parts of Scotland, wherever they inhabit at a diſtance from any conſiderable town. There is, perhaps, in every language, a certain range of phraſeology which is early appropriated to the uſes of familiar life, which expreſſes objects of perception that can never ceaſe to be regarded, and modes of feeling, thought, and action which can never wax obſolete; which is equally remote from ſordid debaſement and from ſtilted elevation, from ſlovenly vulgarity, and from pedantic affectation; and which, therefore, while the ſtamina of the language endure, remains almoſt unchanged, amid the endleſs fluctuations of that phraſeology which belongs to the arts, the manners, the literature which the progreſs of ſocial life is continually conducting through new variations of form. This ſyſtem of phraſeology for the language of Scotland, ſeems to have been in theſe poems attained. The Scottiſh dialect, ſuch as they exhibit it, conſiſts chiefly of words purely or derivatively Anglo-Saxon. With theſe are intermingled a number of words borrowed from the Latin which was then employed in the ſervice of the church; a few from the French; a more conſiderable proportion from the Gaelic; and if we could with ſufficient clear-

neſs

neſs and preciſion, diſcriminate the Norſe or Daniſh from the Anglo-Saxon,—perhaps alſo, no ſmall number of words and phraſes, introduced from the former of theſe tongues. Sect. II. A. D. 1330-1425

Of this age was alſo John of Fordun, whoſe Latin Chronicle is the moſt authentic record of the ancient Hiſtory of Scotland. He was an eminent prieſt and preacher; but had not been honoured with any degree in any univerſity. Having made collections for the whole hiſtory of his country, down to his own time, he was however prevented by death or other circumſtances from continuing it beyond the end of the Fifth Book. He lived about the middle of the fourteenth century, and was contemporary with Wardlaw biſhop of Glaſgow, whom he relates to have furniſhed him with the genealogy of King David. The ſtyle in which he writes, is more clear and expreſſive, than could well have been expected from the times in which he wrote. His reading too appears to have been extenſive. His morality is pure and manly. A careful peruſal of his work, will not fail to excite more reſpectful ideas than are uſually entertained of the monks of this age. His piety appears to have been ſuperſtitious and weakly credulous. There is ſo little of prieſtly knavery apparent in his work; that he may be reaſonably ſuppoſed to have himſelf believed all thoſe things which he relates in favour of the high pretenſions of the church. It John Fordun.

was

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was the texture and colour of his mind, not prieſtly impoſture, that produced whatever in his chronicle may be haſtily execrated as the falſehoods of prieſt-craft. His book was received in all the Scottiſh monſtaries; and was continued by different hands*.

Proper names.

THE PROPER NAMES of perſons began, in the courſe of the fourteenth century, to be faſhioned more and more into that form which they were ever afterwards to bear. *Patronymicks*, or words diſtinguiſhing this or that man, as deſcended from ſome particular anceſtor, began to be employed as permanent family-ſirnames. The *names of hereditary offices* began to be uſed to diſtinguiſh, not merely that perſon in the family who bore the office in queſtion, but to be communicated throughout the whole family. It was thus, the patronymicks, *Thomſon*, *Maxwell* for inſtance, became ordinary ſirnames: Thus *Stēwart* originally the appellation of a great office, came to be uſed as the moſt illuſtrious family-name in Scotland. The names of lands, too, which had been originally aſſumed, as expreſſive of ſome natural or accidental quality, belonging to the land; which had been communicated to their reſpective poſſeſſors, in order to denote the relation of property; were now at length adopted as common family-names, applicable to all the children of the man to whom this or that eſtate belonged:

* Fordun.—Preſat. V. 60. VII. 1.—Nicolſon's Scottiſh Hiſtor. Libr. P. 83.

belonged: *Douglas*, *Dunbar*, and innumerable other names of the ſame ſpecies, were thus communicated firſt from places to perſons, and from ſingle perſons to families. To ſtrangers, not as yet diſtinguiſhed by any illuſtrious, appropriated name, the names of their reſpective countries, were now applied. Hence the origin of the names *Fleming*, *French*, *Inglis*, *Ireland*, and in England, or in its border, of the firname of *Scot*. Burgeſſes, or inhabitants of towns, were denominated from the towns to which they reſpectively belonged,—as *John of Perth*, *William of Edinburgh*, *Alexander of Dundee*. Names of occupations were ſtill in frequent uſe among the inferior people; as for inſtance, *Alan Steeriſman*, *John Goldſmith*, *John Mercer*, *Maurice Skinner**. SECT. II. A. D. 1330-1425

ALL thoſe acknowledged *relations* of *perſons to property*, of *individuals to one another*,—of *individuals to the community*,—and *of the community to individuals*; which are ſpecified and deſcribed in the laws of any country; may be otherwiſe viewed as expreſſed in the *Political Law*, in the *Civil Law*, in the *forms of the executive government* of that country. In the account of the legiſlation of the Scots during the fourteenth century, therefore; departing from that rigorous philoſophical method which it was endeavoured to obſerve in explaining Laws.

* Fordun. *paſſim*:—Appellations and ſignatures in Rymer's *Fœdera* and Anderſon's *Diplomata*.

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ing the history of the laws of Scotland in the former books; let us here follow this new form of distribution, for the sake of enlivening by novelty of form, a subject which its natural dryness and austerity might, otherwise, perhaps render too uninteresting. We shall contemplate the same expanse of horizon, but shall take our observations from a different point of view. We shall erect an edifice of the same dimensions, and affording the same accommodations as before, but varied only in the distribution of the chambers.

Civil Laws.

By the Civil Law is not, here, to be understood that body of institutions, the most stupendous monument of Roman grandeur and wisdom, which having been, some time before the commencement of the present period, revived in Europe, after it had been long buried nearly in the same oblivion as all the other precious relics of ancient literature; served greatly to mitigate the ferocities, and to enlighten and explode the absurdities of the old feudal laws, but, at the same time, tended scarcely less to break down, to constrain, to destroy that high spirit of aristocratical freedom, which formed the very soul of all the feudal institutions. The Civil Law, of which we here treat, is the law which, during this period, regulated in Scotland, the reciprocal rights and duties of private citizens.—The long reign of David the First had first given Scotland something like a formal system

of

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Recapitulation of the previous history of Laws in Scotland.

of laws, compoſed by the collection and recording of thoſe cuſtoms of dominion and civil intercourſe, which had prevailed among the Scots, the Picts, the Strathclydians, and the Anglo-Saxons of Northumberland; by an imitation of the written laws of the Anglo-Saxons; by adopting ſome principles from the precepts of the goſpel, and the ancient laws of the Jews; by adding ſome forms of judicial procedure, ſuitable particularly to the convenience, and the practice of the time; and by moulding the whole into one rude yet venerable contexture. To confirm, to enlarge, or to alter thoſe laws of David, new acts were, as we have ſeen, from time to time, paſſed, in the ſucceſſive parliaments of his ſucceſſors, Malcolm, William, and the two Alexanders. Time and the permanent continuance of regular government ſtill added new weight and authority to the whole ſyſtem of the laws. At the acceſſion of each ſucceeding king, new obedience to them was ſtill vowed; every meeting of the eſtates in Parliament, recogniſed their authority; every appeal to a court of juſtice for deciſion in caſes of diſputed right, every execution of puniſhment upon offenders againſt the peace of the community, ſtill confirmed the power, and exalted the majeſty of the laws. But, in thoſe times of diſtraction and confuſion, which enſued after the death of Alexander the Third, their influence was ſubverted. Even for a while after the expulſion of the Engliſh, Robert Bruce, notwithſtanding

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ſtanding the new acts of legiſlation paſſed in his parliaments, could ſcarcely reduce his barons to a quiet obedience to legal power, peacefully enforced. Randolph was cut off by death in the midſt of a vigorous adminiſtration, which, if prolonged, might have at once given new energy to law, and effectually repulſed invaſion. Until the few laſt years of the reign of David Bruce, the laws, from the circumſtances of the times, the invaſions of the Engliſh, the weakneſs of a regency, and the uncontroulable boldneſs and ferocity of the barons, were neceſſarily without efficient vigour. In the reign of Robert the Second, while his ſon, the duke of Albany, adminiſtered the functions of government for him, and afterwards for Robert the Third; the laws were enforced with ſome degree of vigour. In the latter period of the regency of Albany, and in that of his ſon Murdac, diſorder and lawleſs licence began to wax, every day, more and more inſolent.

Laws againſt feuds, robbery, and theft.

Of thoſe violations of *Civil Law* which the moſt flagrantly diſturbed the peace of the community, the moſt ſtriking were private feuds, robbery, and theft. In the reign of David Bruce, therefore, it was earneſtly enacted, that no earl, or other perſon in authority, ſhould, for money, or in favour, ſuffer thieves and robbers to eſcape from the puniſhment due to their crimes. A fine of great value was awarded as the penalty to be exacted from him whoſe

whose negligence or wilful guilt had thus set at nought the peace of the community. It is however remarkable that the fine was to be paid not in money, but in cattle. Perhaps this peculiarity might be observed, of purpose, to accommodate the decree to the use of the northern and western Highlands, where such disorders were most frequent, and where money was still rare: Perhaps, this might be only an ancient law revived, or accidentally inserted into the collection of David's statutes. Whoever should be accused of theft, was ordained, in the same reign, to acquit himself of the accusation, by the modes of judicial purgation already received in the law. He who could not thus evince his innocence, was to undergo immediate punishment. Amid the disorders of the war which had so long wasted the land, the boundaries of estates had not been always scrupulously respected, but men had in time of danger and scarcity trespassed upon one another's lands for necessaries to themselves and their cattle, without expecting to be punished or called to account for what the circumstances of the times seemed to render unavoidable. That order and security of possession which David endeavoured to restore, was to take away all necessity for such mutual trespasses. A law was enacted to prohibit them, but was not enforced by any peculiar sanction. In the journies of men in this martial age, from one part of the

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kingdom to another; while ſuch travellers were ſtill in arms, were but ſlenderly furniſhed with neceſſaries, were exceedingly prompt to feuds and lawleſs licence, had no certain highways by which to paſs; rapine and injury were frequently committed by the paſſengers, and were almoſt as often eagerly anticipated or retaliated by thoſe thro' whoſe poſſeſſions they held their way. This evil had been carried to a very great height, amid the diſorders under which the Scottiſh government laboured during David's captivity. To remedy it, a ſtatute was enacted to regulate the order in which ſuch journies were to be performed, the reſpect and gratitude with which hoſpitable entertainment was to be requeſted and received, and the kindneſs and liberality with which it was to be adminiſtered. Pilgrims paſſing to viſit the tombs, or ſhrines of ſaints, were by law faithfully protected from injury. The poor who had no other guardian againſt rapine and oppreſſion, were commanded to bring their complaints to the King and his officers; and it was beneficently ordained, that their goods ſhould be protected, as if they were the goods of the King, and the redreſs of their wrongs proſecuted, as if they had been wrongs done to him. Even the ſlaughter of a dog, an animal at this time exceedingly valuable as a watch againſt thieves, as a docile and active aſſiſtant in the management of cattle, as a guard againſt the ferocity of beaſts of prey;

prey; was to be puniſhed by the exaction of a fine from the offender, ſuch as ſhould be equivalent to the damage ſuſtained by the perſon whoſe dog was deſtroyed. At a ſubſequent period in the ſame reign, private war was earneſtly forbidden. The rights and liberties of burgeſſes were recognized, and declared to be within the full protection of the King's peace. All bakers and brewers, or at leſt retailers of ale and bread, were, on the one hand, enjoined to afford entertainment to ſtrangers; while, on the other, thoſe who were thus received, were commanded, under the penalties of law, to pay the juſt price of thoſe articles of entertainment, with which they had been ſupplied; a proviſion of legiſlation, this, which beſpeaks the intercourſe of peaceful travelling, to have been becoming more frequent, and towns to have been now eagerly reſorted to by perſons from the country. The evils of diſorderly travelling about in arms, were continually renewed, and even again, in the ſame reign of David the Second, called for another ſtatute to reſtrain them; which was, however, in all probability, far from being completely effectual. The barons and other military men had been accuſtomed to compel the poſſeſſors of rich eccleſiaſtical benefices, to ſupport for them both men and horſes, in winter, and during the intervals of ceſſation from warfare. This might be neceſſary during the times of the ſtruggle againſt the Engliſh

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liſh: But, it was oppreſſive; and was therefore carefully forbidden by a ſtatute of the reign of David Bruce. As murthers were frequent, and ſome ſignally atrocious deeds of aſſaſſination had been perpetrated in the courſe of this reign; the King was perſuaded not to grant a remiſſion for ſuch ſlaughters, without the advice of his parliament; and it was ordained that a rigorous inqueſt ſhould ſtill be made into all the circumſtances of the crime. In the reign of Robert the Second, it was ſtill found that inſufficient proviſion had been made for the ſuppreſſion of private feuds, and for the prevention of frequent aſſaſſination. A ſort of new code of laws, for this purpoſe, was enacted in this reign, of which it is almoſt the only legiſlative remain. Murther maliciouſly intended, was in it carefully diſtinguiſhed from caſual ſlaughter committed at the impulſe of ſudden paſſion; and proviſion was made for bringing the murtherer to juſtice in almoſt every diverſity of circumſtances. Death and the confiſcation of goods were the puniſhments for the crime. In the reign of Robert the Third, new ſtatutes were again found requiſite for the ſuppreſſion of the diſorders of private war, rapine, murther, and pillaging expeditions by the inhabitants of one diſtrict againſt thoſe of another. The former prohibitions were renewed; and the penalties of death and confiſcation were again awarded. In addition to theſe particulars, it ſeems

alſo

alſo to be of importance to ſtate, as an inſtance of the imperfection of the criminal juriſprudence of Scotland in the reign of David the Second; that a man reputed a thief by the conſenting voice of the inhabitants of three baronies, was to be hanged without enjoying the full benefits of a fair and regular trial; ill fame ſo general being accounted equivalent to the ſtrongeſt and fulleſt proof*. Sect. II. A. D. 1330-1425

After thoſe which guard the ſecurity of life and property from violence and rapine, one of the next in importance among the claſſes of the civil laws, is that which regulates the ſucceſſion to the poſſeſſions of a deceaſed proprietor, and the tranſmiſſion of property from one poſſeſſor to another by contract, or by teſtamentary bequeſt. To obviate thoſe miſchiefs which threatened to ariſe from the frequent claims by ancient proprietors or their heirs, upon lands which, amid the confuſions of the wars with the Engliſh, had paſſed into other hands; particularly, to reſtrain new claimants from violent attempts to diſpoſſeſs preſent proprietors; it was, in the reign of David Bruce, ordained, that no perſon ſhould attempt to regain poſſeſſion of an eſtate which was in another's hands, by any abrupt call upon that other to ſurrender it, or otherwiſe, than by an appeal to the verdict of an aſſize or jury, and by proſecuting Laws reſpecting the tranſference of property in land.

* Regiam Majeſt:—L. L. Dav. II:—Rob. II:—Rob. III.

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fecuting his claim through the ordinary and regular forms of juſtice. As fieffs granted from the King to any of his ſubjects were granted as well to provide for the King's ſervice, as for the benefit of the perſon in whoſe favour the grant was made; and ſince evils of the moſt dangerous tendency might eaſily ariſe from the transference of any ſuch fieff to a ſtranger unfriendly to the ſovereign's intereſts; it was therefore enacted, during David's reign, that any ſuch transference made without the King's permiſſion, ſhould be puniſhed by the forfeiture of the fieffs thus transferred. To prevent that oppreſſion which was liable to be exerciſed by ſurreptitious inqueſts into the poſſeſſion of lands, for the purpoſe of transferring them to new heirs, to the injury perhaps of the heir whoſe rights were preferable; it was carefully provided in the parliament of Robert the Third, which ſat at Scone in the year one thouſand and four hundred, that briefs of inqueſt ſhould not be in future ſerved otherwiſe than after notice legally given in a manner ſufficiently public, and at a due diſtance of time before the execution of the inqueſt. Upon the event of the death of the youngeſt brother of a family without heirs deſcended from himſelf, the inheritance of any lands which he might have acquired, was to fall not to the eldeſt, but to the youngeſt of his ſurviving brothers. Vaſſals had attained ſuch conſideration in the ſtate, that the ſuperior lords under

der whom they held, were no longer permitted to alienate the ſuperior rights to a vaſſal's lands without his conſent. It was chiefly for the benefit of the more powerful barons, vaſſals to the Crown, that this ſtatute was enacted; and it accordingly provided, that when any earldom ſhould be conferred upon a new earl, the barons poſſeſſing eſtates within that diſtrict, ſhould not, contrary to their own conſent, be compelled to hold their lands from him, but ſhould ſtill, as before, continue to be freeholders immediately under the Crown. The ſcope of this act ſeems to have been either virtually, or intentionally directed to exalt the ſmaller barons, to ſtrengthen the authority of the Crown, and gradually to reduce the dignity of earl to a merely nominal honour. In the legal proſecution of actions for the recovery of lands, of which the poſſeſſion was diſputed; it was provided, that if the one party had immediately before the commencement of the litigation, diſpoſſeſſed the other by a forcible ejectment; then the firſt ſtep in the proceſs ſhould be, to reſtore the perſon violently ejected, before the rival claims could be examined and decided upon. Thoſe caſes were carefully fixed, in which it was lawful for the ſuperior lord to take proviſionary poſſeſſion of the lands of his vaſſals. Widows were protected by all the authority of the law againſt any who might violently ſtrive to diſpoſſeſs them of their lawful dowries. It was ordained

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dained that minors ſhould not be obliged to pay uſury for debts of their predeceſſors, continuing due during their minority. Tenants or vaſſals were obliged to attend in the courts of their ſuperior lords, and ſhew, at his demand, by what rights they held thoſe poſſeſſions in which they were his vaſſals*.

Laws reſpecting trade.

SEVERAL of the laws enacted during theſe reigns, reſpected the intercourſe of traffic. Of this nature was a ſtatute of David Bruce, which enjoined, that money of the coinage of England ſhould be received wherever offered in payment in Scotland, at the full value at which it was delivered out from the Engliſh mint. Stranger-merchants were by another law of this prince, protected in all the fair tranſactions of their traffic, as fully as the ancient laws of the kingdom had provided for their protection. The prohibition to export money out of the kingdom was renewed in the laws of David Bruce, as it had often been before. The proviſion for the ſtriking of new coin equivalent in weight and fineneſs to the current money of England, beſpeaks the attention of the legiſlature in the reign of David, to the wants of traffic. Of hardly leſs importance was the ſtatute directing the King's chamberlain to provide in every burgh, a houſe and juſt weights for the weighing of wool, and to appoint an officer to overſee while it was weighed, and

* L. L. Dav. II :—Rob. II :—Rob. III.

and to have the proper accommodations always in readineſs. At a ſecond period in the reign of David, a new coinage was ordered by law; but that coinage was no longer directed to be equal in value to the coinage of England. The payment of ſuch large ſums of money for the ranſom of the King and other priſoners, had drained away the precious metals, ſo that a quantity equal to the coinage wanted for ordinary circulation, could ſcarcely be found. The diminution of the intrinſic value of the coin was amidſt this difficulty, an obvious expedient. Another law of David Bruce, ordained that neither money, horſes, oxen, nor cows ſhould be tranſported out of the kingdom without the payment of certain duties of tranſportation to the King, in certain ſpecified proportions to the value reſpectively of the articles exported. To this claſs alſo belongs that act of the reign of Robert the Third by which freedom of trade for the purchaſe and ſale of proviſions within the kingdom was granted to all the King's ſubjects. Weights were alſo carefully regulated by a new law in the reign of Robert the Third, the object of which ſeems to have been to fix, if poſſible, an uniformity in the uſe of theſe, which has ever been deſired, but does not ſeem likely ever to be completely attained. That act which forbade the expoſure of proviſions in a damaged ſtate, to ſale in the market, has been already noticed, as an inſtance

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ſtance of a curiouſly minute attention to the regulation of the police*.

Single combat.

Concerning the practice of *ſingle combat*, there occur ſome regulations which ſhew that recourſe was ſtill not unfrequently had to it in caſes of judicial procedure. It had become a means of enormous oppreſſion againſt the people of inferior rank. An act paſſed in the reign of David the Second for the purpoſe of regulating the practice of ſingle and judicial combat; provided that all landholders poſſeſſing their lands by military tenure, or even in any other way, if it were only by charter; ſhould be at liberty to challenge to ſingle combat, any perſon whom they ſhould pleaſe to accuſe of rapine, murther, or any other crime; and might then provide a ſubſtitute to fight for them with the perſon accuſed, at the bridge of Stirling, in the King's court, or in any other court. But, on the other hand, it was enjoined that huſbandmen, perſons of baſe blood, and perſons of inferior rank who wanted property in land; although permitted, indeed, to make the ſame appeal to ſingle combat; ſhould not be allowed to fight by ſubſtitute, but ſhould be compelled to contend in perſon. To accuſe, therefore, and challenge to ſingle combat, might be matter of ſport to the proud baron or knight. To the humble peaſant, unſkilled in the exerciſe of arms, to accuſe his ſuperior, was to take

* LL. David. II.—Roberti II.—Roberti III.

take his life in his hand, and to bare his boſom to the ſword of his adverſary. In the reign of Robert the Third, it ſhould ſeem that various evils had been found to ſpring from the frequency of appeals to judicial combat; for, an attempt was made to ſubject them to regulations, having an obvious tendency to diminiſh their frequency. It was ordained that judicial combats ſhould no longer be permitted, unleſs the crime of which the defender was accuſed were capital; unleſs it were an act of ſecret treachery; unleſs the accuſation were founded upon ſuſpicions which, although ſtrong, could not be proved by witneſſes, or written deeds of any kind, nor by any other means, except by combat*. Sect. II. A. D. 1330-1425

As to the Political Law, or that which regulated during this century, the conſtitution of the ſtate, and the functions of the monarch and his parliaments; this ſeems to have undergone ſeveral virtual changes. During the abſence of David Bruce in France, during his captivity in England; the power and authority of the Crown appear to have been not a little diminiſhed. While there were in the land two rival parties, owning two different ſovereigns; impunity for crimes, uncontrouled licence of action, the appropriation of whatever any one could conquer with his ſword, were the conditions which the adherents to both parties Political Laws.

* LL. Davidis II.—Robberti III.

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State of the monarch's power.

parties would naturally claim in reward of their fidelity. The adminiſtration of the regents Andrew Murray, Archibald Douglas, and even Robert Stewart, was ſo weak and deſtitute of energy, that they ſeemed to be rather the temporary leaders of a horde of ſavages going upon ſome occaſional enterprize, than the rulers of a people ſubject to ſtable government, and to the fixed authority of a monarch. The aſſaſſinations and deeds of rapine which were ſo frequently perpetrated during this period, are remarkable proofs of the weakneſs and inefficiency of the ſovereign authority. David, in the latter part of his reign, wanted time and popularity to enable him to reſtore the declining energy, and to recover the alienated poſſeſſions of the Crown. Stewart, adding his own private property to the domains of the Crown, might thus indeed, in part, reſtore its luſtre by the augmentation of that wealth which was indiſpenſibly neceſſary to ſupport its dignity. But in the feeble reign of Robert the Third, the duke of Albany impoveriſhed the Crown to enrich his own family; while he, at the ſame time, relaxed the reins of government, to avoid irritating thoſe barons, whoſe earneſt fidelity to their ſovereign, and to the rights of the Crown, might have thwarted the deſigns of Albany's perſonal ambition. During the weak adminiſtration of his ſon Murdac; the Crown was almoſt entirely ſtripped of its few remaining

remaining poſſeſſions, and the government was diſſolved into almoſt total anarchy. During this period, too, ſome powerful nobles had attained to extraordinary wealth and influence. The earls of Douglas, by fidelity and brave ſervices, indeed, which could hardly be too amply rewarded, had acquired almoſt the independent principality of the whole ſouth-weſt counties. The lord of the iſles, the deſcendent of Somerled, the anceſtor of the Macdonalds, had extended his power over all the weſtern iſles, and over extenſive territories on the contiguous mainland. By his defeat at Renfrew, by the deſcent of the Norwegians, by the immediate conſequences of the battle of Largs, the family of Somerled had been greatly humbled in their power, and in the extent of their poſſeſſions. Of the territories of which they were deprived, a conſiderable part, and particularly the diſtrict of Lorne in Argyle, had been given to enrich the family of Alexander Stewart, their conqueror. But, amid the troubles which attended theſe long wars for the ſucceſſion to the Scottiſh throne, and for the defence of the national liberties of the Scots; the attention of the Scottiſh government being withdrawn to the ſide of England, left the inſular chieftain at liberty to extend his authority, and to uſurp the poſſeſſion of new territories, by which he was raiſed to an invidious height of greatneſs. Sinclair, earl of Orkney, too, was, in ſome ſort, prince

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prince of thoſe iſles: But they indeed were ſo remotely connected with Scotland, as not to arm him with any exorbitant power to reſiſt the authority or diſturb the government of his ſovereign*.

Decline of the feudal inſtitutions.

Amid this decline of the wealth and authority of the Crown, the ancient proviſions of the feudal ſyſtem began to be found inadequate for the expence of the executive government. For the demolition of the caſtle of Jedburgh, retaken out of the hands of the Engliſh in the year one thouſand four hundred and nineteen, during the adminiſtration of the duke of Albany; it was enacted, that a tax of two pence ſhould be levied for every hearth; becauſe the ſtrength of the walls rendered it exceedingly difficult to deſtroy them; the military vaſſals of the Crown could not, by the conditions of their tenures, be compelled to perform this ſervice; and the treaſury of the Crown was not ſufficient to pay the workmen whom it would be neceſſary to employ in this petty labour. But, Albany, afraid to provoke the rage of the common people by the actual impoſition of the tax which had been decreed, declined to levy it, and commanded the neceſſary expence to be defrayed out of the revenue of the King's cuſtoms. Theſe cuſtoms were levied, as a branch of the royal revenue agreeably to a ſtatute of the reign of David the Second. For every pound of ſilver carried out of the

* Fordun.—Leſlœi Res Geſtœ:—Buchanan.

the kingdom, the cuſtom to the ſovereign was forty pennies; unleſs the perſon exporting the money could prove that it was only for his own perſonal expence. For every horſe exported, the cuſtom was forty pennies out of every pound of the price of the horſe. For each ox or cow, the cuſtom was twelve pennies. Perſons detected in attempts to evade the payment of the King's duty upon money by exporting it ſecretly, were to be fined in twenty ſhillings for every penny of the money which they thus attempted to export. Actions at law for the recovery of theſe duties, were to be brought before the King's juſticiary, while he made his ambulatory progreſſes. For the encouragement of commerce, however, it was provided that ſtrangers ſhould pay no duties for the exportation of money which they had themſelves previouſly imported into the kingdom. This was now one grand ſource of the royal revenue. It promiſed to become more conſiderable, while it was regulated by law, not arbitrarily exacted. For the acquiſition of money, it was the moſt obvious means which remained in the ſovereign's power. The continual alienation of the royal domains was to render it ſtill more and more an object of the utmoſt importance to the Crown.—Another ſource of revenue to ſupport the royal dignity, was found in the ſeizing of goods from ſubjects, for the King's uſe, whether to accommodate him in his progreſſes through the kingdom, or

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or to anſwer the neceſſities of his houſehold at any fixed place of his reſidence. Grievous oppreſſion had been often exerciſed upon the ſubjects under the pretence of the exerciſe of this prerogative. David the Second was therefore perſuaded to conſent to the wiſhes of his Parliament, who required, that ſuch ſeizures of goods for royal uſe, ſhould not take place except where there was a preſcriptive right to exerciſe them, and that ready payment ſhould always be made for whatever goods might thus be ſeized. At a ſubſequent period in the ſame reign, it was found neceſſary to enlarge the King's power of ſeizing, at a low price, goods for his own uſe, by permitting ſuch ſeizure of cattle, barley, and other ſuch things to be made in all parts of the kingdom, in the exterior as well as the interior counties, in Cantyre, Knapdale and Arran, as well as in Fife or Lothian: and it is remarkable, that in the act eſtabliſhing this new regulation, proviſions of all kinds are ſaid to abound in thoſe regions of the weſtern Highlands. Beſide all this, the royal revenue was farther ſupplied from the fines levied in the King's courts of juſtice, and the fees exacted from the litigating parties—for the deciſions, and for putting ſuch deciſions into full execution. Whether to enrich themſelves, or to increaſe the emoluments of their ſovereign, it ſhould ſeem, that the King's judges had been occaſionally accuſtomed to negociate compoſitions

compoſitions of debts between purſuers and defenders in actions before them; for this practice had ariſen to be ſuch a grievance, that in the reign of Robert the Second, an act of Parliament was paſſed againſt it. After the payment of the allotted fees to the judges, all the other emoluments ariſing from the diſtribution of juſtice, appear from various acts of the reign of Robert the Third to have been always paid into the King's exchequer.—Such were the other ſources of the royal revenue—beſide the crown-lands, and the ordinary feudal ſervices of the military vaſſals of the Crown, and the other freeholders who poſſeſſed their lands by immediate charter from their ſovereign*. Sect. II. A. D. 1330-1425

Parliament.

The authority of the feudal Parliaments of Scotland during this age, was neceſſarily very great. To maintain their ſovereign upon his throne, and to protect the independence of the nation, innumerable ſervices were required, beſide thoſe which the vaſſals of the Crown, were by the conditions of their reſpective tenures, bound to perform. Theſe ſervices could be diſcharged only by the ſpontaneous courage and patriotiſm of individuals, or by the conſent of a majority of the eſtates of the kingdom, aſſembled in Parliament. Amidſt any occaſional pauſes from warfare againſt foreign foes, there were many inteſtine diſorders to be repreſ-

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* LL. Davidis II.—Roberti II.—Roberti III.

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fed which the King wanted power to repreſs. Theſe circumſtances in the ſtate of the nation called for frequent interpoſitions of the parliamentary counſels and authority of the King's vaſſals; and every exertion of extraordinary energy in the parliament, ſtill gave the united barons new ability to oppoſe any encroachments of the royal power. The acts of the parliaments of David Bruce, and of his two immediate ſucceſſors, contain an unuſual number of conceſſions from the Crown, detracting from its prerogatives, and mitigating whatever hardſhips there might be in the feudal ſervitudes. It was impoſſible that the Crown ſhould not become relatively weak, while it was on the one hand ſtripped of its domains, and on the other continually ſubjected to new limitations of its prerogatives. But, the ſame augmented authority of the united barons in parliament, which ſeemed to check and enfeeble the royal authority, ſerved rather to inflame the inſolence, and to augment the private force of every individual baron. The crippled ſtep, the palſied arm of the executive power, could not with ſufficient energy and activity carry thoſe laws into execution which the parliament had enacted. The barons often decreed, with ſufficient alacrity, whatever ſeemed the moſt likely to preſerve and to enforce public order: but, after ſuch acts were paſſed, each baron ſtrove to enjoy impunity for himſelf; and unleſs moved by the reſentment of ſome private

private quarrel, was content to leave his neighbours to the ſame lawleſs freedom of action. Of this there occurs a ſtriking proof in the frequency with which the ſame laws were re-enacted in ſucceſſive parliaments in theſe reigns, and in the many aukward expedients which appear to have been often vainly employed to enforce them. The parliament was ſtill compoſed, as formerly, of all the barons, eccleſiaſtics, and burgeſſes, who were free, and held lands by immediate charter from the Crown. The burgeſſes, whoſe ſervice was partly military, in part menial and pecuniary, appear to have been permitted to hold a very conſpicuous place in the grand national councils. They aſſiſted at theſe, only by deputies; but it does not appear that thoſe deputies were by any preciſe legiſlative regulations reſtricted to any particular number. In thoſe conventional aſſemblies of the nation which were held for the purpoſe of concerting means for accompliſhing the liberation of David Bruce; only Perth, Edinburgh, and Aberdeen, were repreſented, each by three deputies. For all the other burghs, only two repreſentatives from each, attended. Upon the ſame great occaſion, the biſhops and their chapters, the abbots and priors, with the ſubordinate members of the bodies over which they reſpectively preſided, were, in like manner, repreſented by deputies. Theſe deputies, again, after the

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the conditions of the treaty for their ſovereign's ranſom had been almoſt finally ſettled, delegated a few out of their number, as did alſo the nobles, to repair to England for the laſt ratification of that treaty. The delegates from the burgeſſes, were the repreſentatives of Edinburgh, Perth, Aberdeen, and Dundee, alone. When a conſiderable, partial payment was to be made of the ranſom due for the liberation of David; John Mercer of Perth, and Roger Hog of Edinburgh, were the perſons employed in making the payment*.

Dignities and Titles of Nobility.

As to the honours and relative dignities of the nobility in this period; theſe had begun to vary from their primitive character; but ſtill, however, retained ſo much of it, as eaſily to ſhew what originally it had been, and by what gradual changes they had paſſed from their former to their preſent ſtate. The *great officers of the King's court* were properly the chief nobility of his kingdom; the marſhal, the conſtable, the ſteward, the juſticiaries, and all the other officers, who enjoyed high authorities for the diſcharge of the duties of their reſpective offices, within the King's domains, and over his vaſſals. Theſe, however, would have compoſed but a very ſmall body of nobility. The *earls*, properly the military leaders, and the civil judges

* L. L. Dav. II:—Rob. II:—Rob. III:—Fordun. paſſim:—Fœdera T. VI. P. 38, &c.

judges in their reſpective earldoms or ſhires, were like the others, alſo officers of the Crown; enjoyed only as being ſuch, the name, the authority, the dignity, of earl; and loſt the title of earl with the authority over the diſtrict to which it was affixed: —and theſe compoſed the main body of the higher nobility. The honours they enjoyed, were official and territorial, not perſonal. Other territorial honours, inferior to thoſe of the earls, belonged to the barons. *Baron*, a Norman word, nearly equivalent to the Anglo-Saxon *thane*, does not appear to have been known in Britain, before what is called the Norman conqueſt of England. In the diſtribution of the forfeited lands after that event, the country ſeems to have been divided into *baronies*; and the poſſeſſor or poſſeſſors appear to have been bound to furniſh for every *barony*, an equal number of armed men for the King's ſervice. With the territorial property was naturally connected a civil juriſdiction over the baron's ſub-vaſſals, which gradually incroached upon the juriſdiction of the earl and ſheriff of the diſtrict, as theirs did upon that of the Crown, which their proper office was only to adminiſter. The inſtitution of *barons* had, in Scotland, now long ſuperſeded that of *thanes*. It was poſterior to that of *earls*; yet had before this period, obtained a complete eſtabliſhment throughout the kingdom. But, the privileges of the barons,

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barons, and those of the earls, soon appeared to be in a certain degree, incompatible. Not absolutely by the original nature of the office, but, in that arrogation of new power to which the earls aspired, when their fiefs became hereditary, all the possessors of lands within an earldom were often reduced to the condition of sub-vassals to its earl. But, this arrangement was inconsistent with the privileges which the barons claimed; was directly and powerfully hostile to the prerogatives and lawful authority of the Crown. It was, therefore, ordained, that, when any earldom was conferred from the sovereign upon a new possessor, the barons within that earldom should not, in consequence of this event, be compelled to place themselves in vassalage under the subject earl, but should still remain as perfectly as the earl himself, freeholders under the Crown. The powers and immunities of the barons thus augmented and guarded by law, tended to impair those of the earl, and in part to counteract the evils which accompanied the feudal aristocracy in its full vigour. By the immunities of the *baronial* courts, and by their exemption from vassal-dependency upon the earls, the barons became, in some measure, so many petty earls; and it seemed as if in this instance the Crown had adopted the maxim;—*divide*; *and command*. Yet, it was not by any plan of policy; but only in a necessary obedience

dience to the demands of progreſſive events, that this meaſure ſo humiliating to the greater nobility appears to have been purſued. By another concurring cauſe, too, was the power of the earls gradually diminiſhed in no inconſiderable degree. The King, whenever he had new grants of lands to beſtow, might, at pleaſure, erect them into a barony or an earldom: The ambition of the favourites of their ſovereign, who were to be gratified with ſuch grants, naturally led them to aſpire to the higheſt juriſdiction and honours that could be attached to their new eſtates: And hence was the number of earldoms continually multiplied, and their extent narrowed, till one county and the juriſdicton of one ſheriff, came to comprehend ſeveral earldoms; and the earls ſcarce differed at all, from ſimple barons. *Knight*, a name ſignifying originally neither more nor leſs than ſoldier and freeman, was the firſt honorary title, which came into uſe in theſe ages. In the progreſs of the feudal policy, it had ſoon ceaſed, in moſt of the countries of Europe, to be ſo merely honorary, as it had at the firſt been; it was connected with a certain fee in land, and with certain military ſervices due to the knight's feudal ſuperior. In England, even in the middle of the fourteenth century, military ſervice had become ſo burthenſome and diſagreeable; that freeholders enjoying knight's-fees in land,

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this age: Nor had they varied more conſiderably than is here repreſented from the ſtate in which we ſaw them to exiſt in that period, which is the ſubject of the Third Book of this Hiſtory. But, a new title of honour was introduced into Scotland, during the fourteenth century; and, for the firſt time, conferred upon David the unfortunate eldeſt ſon of Robert the Third, and upon the earl of Fife, Robert's brother. This was the title of DUKE; an appellation which had exiſted with military and civil power attached to it, in the latter ages of the Roman Empire; which had been revived in modern Germany, in Italy, in France, in England; which was now introduced into Scotland, to confer no idea of power or opulence neceſſarily and peculiarly connected with it, more than with the title of earl; but ſolely as an honorary diſtinction which befitted princes of the blood-royal, much better than a denomination which might be common to them, with ſo many other ſubjects*.

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THE *villains*, the *ceorles* or *churls*, and the *burgeſſes*, remained nearly in the ſame condition, as to immunities and conſequence in the ſtate, in which they had been during the preceding age. Not but that the *villains* were often called out to fight in defence of their country; and amidſt theſe occaſions

Condition of the villains, burgeſſes, and churls.

* Fordun:—Major:—Boeth.—Buchanan.—Fœdera, paſſim:—Regiam Majeſtatem:—L. L. Dav. II.—Rob. II.—Rob. III. &c.

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sions of military service, many of them, from time to time, found opportunity to emancipate themselves from the low servility of their original situation. None of the *churls* were restrained from aspiring to the higher honours of military tenure, if they should shew themselves willing to perform the generous and perilous services attached to it.—While the southern burghs of Berwick, Roxburgh, and Jedburgh, were reduced to ruins, or withdrawn from the kingdom of Scotland by the English; the more northern burghs arose to a pre-eminence which had not previously belonged to them. The burgh of *Crail* in Fife, appears from the transactions concerning the liberation of David Bruce, to have had existence in this period. Aberdeen, Dundee, Perth, now arose to be places of no small comparative importance. Money which was in such high estimation; the manufactures of the ingenious mechanic arts, which were as yet rare; all the precious rarities of foreign importation passing into the country through the hands of the burgesses; gave them an importance in the kingdom which they could not otherwise have possessed. It is remarkable that Aberdeen in particular appears to have had a traffic, probably in salted fishes, with England at this period; for there is a letter directed from the English King to the inhabitants of a place on the eastern coast of England, commanding them to deliver up to James Henderson, ship-

master

master of Aberdeen, a veſſel and its cargo belonging to Henderſon, which had been wrecked upon their ſhores*. Dundee, too, was, about the ſame time, of ſuch conſequence, as a ſea-port-town, that Thomas, earl of Angus, being, for this very purpoſe, permitted by Edward to return home out of England, in which he was an hoſtage, procured from Dundee four armed ſhips, for one of Edward's expeditions to the Continent*.

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Such are the moſt remarkable facts in the hiſtory of Scotland during the fourteenth century, which fall naturally to be ſtated under the two heads of its *civil* and its *political* law. The ſpirit and the operations of the executive government might have been explained under the ſame heads. But, it may be perhaps a more perſpicuous and popular, although a leſs preciſely accurate method to place them, here by themſelves. Theſe tranſactions of the government naturally reſpected either the maintenance of internal order within the kingdom, or the protection of it by war or negotiations, againſt foreign foes.

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* There exiſts likewiſe in Rymer's Fœdera, VI. a letter addreſſed from the King of England to the King of Denmark, claiming a wreck which, although ſpared by the people of the coaſt, had been ſeized by that King's officers; from which letter it appears that the Engliſh, in the fourteenth century, exported woollen cloth, to the coaſts of the Baltic.

† Fœdera, T. VI.—Fordun, *paſſim*.

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As to the maintenance of internal order; this was the buſineſs, under the King, of all the great officers of his houſehold, of all the earls, and all who were intruſted with military power, or with civil juriſdiction. The ſheriffs were, however, in this century, the officers who ordinarily exerciſed the King's civil authority in the different counties. To act where anciently the King himſelf was wont to act in his continual progreſſes throughout the kingdom; was the buſineſs of the juſticiaries, of whom, as it ſhould ſeem, there were now commonly two; one for the northern, another for the ſouthern counties. Many of the laws enacted during theſe reigns, were intended to regulate the diſtribution of juſtice by theſe officers. In the reign of David the Firſt, it was ordained that the King's courts ſhould be held in each ſheriffdom for forty days in the year; and that the biſhop, the earls within the ſheriffdom, the ſheriff, and barons, with all perſons accuſed of crimes, ſhould be preſent at thoſe courts. It was provided in the ſame reign with a ſolicitude beſpeaking evils to have ariſen from the act forbidden; that no ſheriff or juſticiary, none of the King's officers ſhould preſume to execute any command, however ſealed and tranſmitted to them, if it were obviouſly contrary to the exiſting laws. It was provided likewiſe, that juſticiaries not giving legal and regular attendance in their courts, or acting by ſubſtitutes without the

King's

King's permiſſion, or for any cauſe under plauſible ſuſpicions as to their integrity and impartiality, ſhould not be permitted to compel any perſon to take his trial before them. It was enacted, that letters ſummoning any perſon to trial, if once iſſued from the office of the King's chancellor, ſhould not be ſubject to be revoked. In the reign of Robert the Second, for the terrour of unjuſt judges, a decree was framed for the puniſhment of ſuch judges when convicted of oppreſſion and injuſtice, by the diſmiſſion of them from their office, and the infliction of whatever farther penalty, the King's pleaſure ſhould appoint. In the reign of Robert the Third, it was provided by a particular law, that the King's judges ſhould execute all letters of caption addreſſed to them from the clergy; and that any perſon aggrieved, or pretending to be aggrieved by the execution of ſuch letters, ſhould have recourſe for redreſs, only to the conſervator of the clergy, or to the general aſſembly of the eccleſiaſtical body. It was, in this reign, too, provided that the ſheriff's clerk ſhould be dependent, immediately upon the King, not upon the ſheriff; an act of which the chief purpoſe might probably be, to prevent the ſheriff from corrupting the records of his court, or from perverting to his own uſe, more than a due proportion of the emoluments ariſing from the exerciſe of his office. The ſheriff was, about the ſame time appointed to provide

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himself duely with copies of all the acts of Parliament. He was enjoined likewise to appear annually before the court of the King's treasury, to the end, no doubt, that he might render a clear accompt of the fines and fees received from the causes tried before him. The justiciaries were likewise, in the same reign of Robert the Third, commanded to hold their courts, twice a year within each sheriffdom of their respective districts of jurisdiction. At the same time, the authority of the justiciary was exalted; and the sheriff was directly subjected to him; so that a justiciary was required to examine whether the sheriffs faithfully discharged the duties of their office; and was impowered, provisionally to remove any sheriff from his office, till the next ensuing meeting of the Parliament, when the displaced sheriff should be brought to his trial before that great council, the only assize before which the nobility could be legally tried for great crimes. It was in the same reign directed, that the sheriff should summon all offenders against the King's peace, in every county, to appear for trial before the justiciary, at the time when he should hold his court within the district. Criminals fleeing out of one sheriffdom to another, were to be diligently pursued for the purpose of bringing them to justice, by letters from the sheriff out of whose jurisdiction they had fled, to the sheriff of that district within which they had

fought

ſought refuge. But, the King's juriſdiction had been here and there impaired by the inſtitution of *baronies* or *lordſhips* of *regality*. By erecting ſuch a lordſhip, the King reſigned to the perſon in whoſe favour it was erected, the right of taking cognizance for that particular territory even of thoſe pleas, which were, in all ordinary caſes, reſerved for trial by the ſovereign, his ſheriffs and juſticiaries. Within ſuch a regality, neither ſheriffs nor juſticiaries belonging to the Crown had any power. The procuring of theſe erections, ſerved, in a good meaſure, to counteract the effects of that levelling of the authority of the earls to the common ſtandard of that of the barons, which at firſt promiſed to humble the higher nobility before the Crown. It was a favour frequently aſked, and not unfrequently obtained, when the King continually needing the ſupport of his barons, and having but ſmall means in his hands to reward them, was obliged to grant away parcels of his authority, becauſe he had not lands or other wealth to grant. An act of Robert the Second provides, that for the puniſhment of rapine and aſſaſſination, the ſame care ſhould be taken in regalities as within the diſtricts ſubject to the King's immediate juriſdiction; ordaining farther, that if the lords of regalities and their bailiffs, ſhould fail in this care, the right to exerciſe it ſhould then, in each particular inſtance, devolve to the officers of the King. Nay, by another act

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act in the same reign, the bailiffs of regalities were made subject to be called before the King's justiciaries; and in the case of their having failed duely to enforce the laws within the limits of their jurisdiction, were then to be punished with confiscation of their lands and goods to the King, or to the lord of the regality, or even with death at the pleasure of the sovereign or the immediate subject-lord. Lords of regalities neglecting to punish their guilty bailiffs, were amenable directly to the King, and were to be, themselves, punished at his pleasure. Within Lordships of regality, as elsewhere, criminal courts were ordained by a statute of Robert the Third, to be held twice a year. Almost all the same regulations which respected regalities, were extended likewise to jurisdictions of *barony*; with this difference, that in these last they were less necessary, because these were subject to the ordinary jurisdiction of the King's sheriffs and justiciaries. Such were the most remarkable modifications of the exercise of the executive authority in the internal distribution of justice,—peculiar to the period which is now under our survey*.

For the conduct of his wars, or for the enforcing of the laws among his own subjects, the sovereign had, as yet no standing army, no mercenary troops constantly retained in his pay. The feudal services due from his military tenants, the spontaneous

* Regiam Majestatem.—L. L. Dav. II.—Rob. II.—Rob. III.

neous, patriotic efforts of particular barons, the resolutions of extraordinary services made by his Parliaments, were the only means of defence or offence against foreign foes which he could employ. How well these were fitted to support a monarch on the Scottish throne, and to repulse all the hostilities of invaders, was illustriously shewn in all the wars of the Bruces, and of these two first of the Stewarts! For the purposes of internal government indeed they might often leave the hands of the monarch, weak. But, for foreign war they never failed to arm him with a powerful and vigorously active force. Sometimes it was at the command of the King; sometimes by the general voice of the Parliament; sometimes it was by the impatient valour of individuals, that military enterprizes were undertaken against the nation's foes: In all these cases, there was a general eagerness and impetuosity to take arms and rush out into the field. It does not appear that war was ever undertaken or declared by the King's sole authority, while the Parliament were unconsulted: But, doubtless, the King still retained the right to command the military services of his vassals for the space of time fixed in their charters, even without allowing them a voice in the decision by which the war was commenced.—Truces, treaties of alliance, negotiations for the ransom of prisoners were the chief acts of peaceable intercourse with foreign

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Kings and ſtates, which the Scottiſh government had in this age, to perform. Theſe the King or Regent never conducted to a full termination, without aſking the advice of the great national council. In that grand negotiation, by the ſucceſs of which David Bruce was delivered from captivity, all was managed by the general conſent of all the three eſtates. The treaties with France appear to have been negotiated with the ſame caution. Not that the King was obliged by the fundamental laws of the monarchy, or by any new modifications which had taken place on theſe, to obey the advice of his Parliament, in every act of his intercourſe with foreign ſtates. But, he could fulfil no treaty farther than the obligations of his vaſſals to feudal ſervices, and his own revenue ariſing from his domains and cuſtoms ſhould enable him; unleſs his free vaſſals giving their conſent to ſuch a treaty, ſhould thus pledge themſelves to fulfil it, not merely with the feudal ſervices which they neceſſarily owed to their Lord, but with their lives, their whole fortunes, and all the efforts of which they were capable*.

Records of the laws.

Such, in the diſtribution of civil and criminal juſtice, in the combination, the proportions, and the exertion of the political powers of the ſtate, were the laws and cuſtoms of the Scottiſh nation during the fourteenth century. Such of them as are

* Fordun. XIII. XIV. XV :—Fœdera T. V. VI. VII :—Regiam Majeſtatem, L. L. Dav. II :—Rob. II :—Rob. III.

are preſerved in the general tenor of the unqueſtionably authentic records of the Scottiſh hiſtory, cannot but be genuine. Others of which the exiſtence is known to us from the evidence of ancient written deeds, are entitled to equal credit. That collection of the laws of David the Second, and of the two Stewarts his immediate ſucceſſors, which contains the great body of the ſtatutes attributed to theſe reigns; agrees ſo ſatisfactorily with the manners and circumſtances of the age to which it is attributed; derives ſuch authority from the conſent of hiſtory, wherever hiſtory could be expected to afford any evidence concerning it; and comes to us, ſo recommended by the authority of the earlieſt and moſt learned lawyers by whom it was examined; that we cannot heſitate to give it credit for almoſt all that complete authenticity to which it pretends. When the laws of the Anglo-Saxons are once admitted as the grand ſource of all the moſt ancient laws of Scotland; almoſt all the objections which have been urged againſt the genuineneſs of the books of the *Regiam Majeſtatem*, are inſtantly ſeen to vaniſh. If, in addition to this, it be conſidered that the old Scottiſh Parliaments might often rather ſanction with their approbation, collections of the old cuſtomary laws already in uſe, than enact new ſtatutes; and might therefore paſs laws of which the preambles, enactments, and ſanctions were adapted rather to a former, than to the

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the preſent time; we ſhall then ſcarcely fail to be ſatisfied that the greater part of that ancient aſſemblage of laws, is aſſuredly genuine. Errors of tranſcription, and miſtaken dates there may be: Nay, a word, a ſentence, a paragraph may have been here and there taken away or foiſted in: But, laws are, above almoſt all other writings, ſecure againſt forgery; becauſe laws can never remain unknown; their very enactment is a publication which declares them to a whole people; if uſed in the diſtribution of juſtice, their validity, as well as their genuine ſenſe cannot fail to be eagerly diſcuſſed. Judges, juries, parties, the whole nation have their eyes continually turned with ſo much vigilance upon the tenor of the laws; that although a code of laws may be forged, yet ſuch a code could never become the rule of juridical practice. Charters, epiſtles, hiſtorical records of many different ſorts may be, all, much more eaſily fabricated than laws.

Civil Law applied to the practice of the Court.

It was about this period that legiſlation and the diſtribution of juſtice among the Scots began to be illuminated by the inſtitutions of the Civil Law of the Romans. The Roman Law attained its moſt conſummate perfection in the hands of thoſe illuſtrious lawyers who adorned the reign of the Eaſtern Emperor Juſtinian. In the Weſt, however, the incroachments already made by barbarians upon the provinces of the Roman Empire, had even

even before, begun to contract the dominion, and to enfeeble the authority of thoſe laws. In the ſubſequent eſtabliſhment of thoſe barbarians in all the provinces of the Weſtern Empire, their own ſavage inſtitutions were every where exalted upon the ruins as well of the civil policy as of the political eſtabliſhments of Rome. The ancient laws of the conquered people, in ſome inſtances, gave a faint tinge of colouring to the new legiſlation by which they were ſuperſeded, and might perhaps not be every where univerſally forgotten; yet, during ſeveral of the darker centuries in the progreſs of the nations of modern Europe, they were either ſo generally unknown, or ſo little regarded, as to exert no influence upon actual legiſlature. When THE CONFIRMED STABILITY OF THE FEUDAL GOVERNMENTS, and THE HIGHEST EXALTATION OF THE HIERARCHAL WEALTH AND POWER, began, with joint efficacy, to arouſe anew the induſtry of men, to awaken their curioſity, to ſtimulate their invention: that renewed intercourſe which took place between Europe and the Eaſt in the cloſing days of the Eaſtern Empire, failed not to draw European attention at leaſt ſlightly upon the laws and inſtitutions which ſtill reigned at Conſtantinople. The efforts of the clergy to ſtrengthen themſelves by their ſkill in juriſprudence, againſt the boiſterous oppoſition of the military order among whom they were eſtabliſhed; eſſentially contributed firſt to the improvement

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improvement of their canon-law; then to prompt them to enquiries after that more perfect ſyſtem of laws which had prevailed among the ancient Romans; and laſtly to correct and improve the legiſlature of all the ſtates of Europe by the new illumination which the clergy's juridical ſtudies now enabled them to introduce into it. But, it was not till the accidental diſcovery of a copy of Juſtinian's collections at the town of *Amalphi* in Italy; a town, which at a very early period, had been flouriſhing, but was now greatly outrivalled by Florence, Genoa, and Venice; that the juriſprudence of ancient Rome became an object of enthuſiaſtic ſtudy, and was eagerly ſeized upon by the clergy, as a notable new engine to extend and to confirm their power. Its authority was ſoon received in theſe ages of blind deference to mere authority, as if it had poſſeſſed almoſt all the ſanctions that the majeſty of any legiſlative body could give. In Italy, in France, in Germany, it began to be inwrought as a piece of embroidery, or rather of quilting, upon the ground of the feudal policy. Even in England, where it was never to obtain a complete reception, it was however already ſtudied. The moſt remarkable proof of its having now begun to draw the notice of the Scots, appears not ſo much in the progreſs of their ſtatute-law during this fourteenth century, as in a renunciation which their repreſentatives ſolemnly made, of any advantages

tages to be derived either from the *Civil* or the *Canon* Law, towards the infraction on their part of any of the articles of the treaty with England for the liberation of David Bruce. It was ſoon to be adopted among the Scots, however, as a grand treaſury of opinions and precedents to be reſorted to for the ſolution of every difficulty in juridical queſtions, with the ſame confidence and reſpect, as it had been a collection of the ancient laws of the country, and of the deciſions of its judges*.

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Lawyers, &c.

Lawyers had not as yet in Scotland, a diſtinct exiſtence, as an incorporated body of the members of an honourable and important profeſſion. There were the King's *meſſengers at arms*, attendant upon his ſheriffs and juſticiaries, and more properly military than civil ſervants of the Crown, in the original intention of their office. There were perhaps alſo ſome *clerks* and *proctors*, men not regularly incorporated, and diſtinguiſhed from the reſt of the community, but permitted to take up the employment at pleaſure, or exerciſing it under the appointment of the ſovereign, or of his barons. Every man was permitted to appear for himſelf, and to plead his own cauſe in a court of juſtice; or every man might produce his maſter, his friend, or any reſpectable ſubſtitute, to plead, as well as to fight for him; a practice which was afterwards to give riſe to the order of Advocates.

In

* Fœdera, Tom. VI. &c.

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In the eccleſiaſtical courts there were Notaries; and it is not improbable that theſe might be employed in the framing of many deeds, and the tranſaction of many pieces of juridical buſineſs, which did not neceſſarily fall within the province of the eccleſiaſtical courts. The bailiffs of the barons, the ſheriffs and the juſticiaries of the King's courts, were men of eminence employed in juridical affairs. But, theſe men were not neceſſarily to be lawyers before being appointed judges; and they had commonly much more in them, of the military man, than of the lawyer. Remongeney who firſt counſelled young David, duke of Rothſay, to ſeize, impriſon, and ſtarve to death, his uncle Albany; and then unhappily with better ſucceſs, gave the ſame advice to the uncle againſt his nephew; is related by the hiſtorians of the time, to have been *an able lawyer*. It is remarkable, too, that altho' the laws of theScots were, at this time, aſſuredly not very numerous, nor their written deeds exceedingly voluminous and complex; yet, they had already begun to exclaim againſt the law's formalities and delays, and to regret the ſimplicity of elder times. When the earl of Fife, afterwards duke of Albany, in an inroad into Cumberland, found among other articles of plunder, an ancient ſealed charter in theſe words; *Kyng Adelſtane giffus here to Paulan Oddam and Roddam, als gude and als fair as ever there myn war; and thereto witnes Mald*

my wyfe; he ſo admired its brevity and ſimplicity, as often afterwards to quote it, when he preſided in the courts of juſtice, for an inſtance of the ſuperior wiſdom and integrity of the people of ancient ages*. Sect. II. A. D. 1330-1425

The Religion of the inhabitants of Scotland was not at all more enlightened during the fourteenth century, than it had been during the thirteenth. The ſame ignorance, the ſame ſuperſtition, the ſame violations of morality encouraged by the clergy that they might be atoned for by donations to the church, the ſame fancied viſions, the ſame fabled miracles ſtill prevailed. St Columba, now no longer obnoxious to the Popiſh clergy on account of the ancient averſion of his diſciples to the ſupremacy of Rome, was reverenced in this age for many fancied miracles. The Scots wanted a navy to protect their coaſts and harbours againſt the fleets of the Engliſh. But the ſaint of Inch-Columb was ſuppoſed to watch as a celeſtial admiral over the whole Frith of Forth. Scarcely ever did the Engliſh enter it, without ſuffering, as the Scottiſh clergy pretended, ſome ſignal act of vengeance from the ſaint whoſe boundaries they dared to violate. Upon an expedition of this ſort, in the year one thouſand three hundred and thirty-five, one of the ſhips of the Engliſh fleet had even dared to anchor before the ſacred iſle. The crew iſſuing Religion. Miracles.

* Regiam Majeſtatem, paſſim :—Ford. XIII. XIV. XV.

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from their veſſel ſpoiled the monaſtery, even ſtripped the church of its conſecrated furniture, and carried away, among other things, a much venerated image of St Columba himſelf. They ſoon again ſet ſail with their ſpoils, and in company with the other veſſels of the fleet. But hardly had they begun to proceed, when a terrible ſtorm aroſe, and wreaking its fury ſolely upon the ſhip which contained the ſacrilegious pillagers of Inch-Columb, ſo toſſed and haraſſed this veſſel, that it was with extreme difficulty, and amid the moſt alarming dangers, brought to anchor at Inch Keith. Here the conſcious criminals haſtened to quit themſelves of their ſacrilegious ſpoils; and reſtoring all that they had pillaged with a conſiderable ſin-offering to appeaſe the wrath of the ſaint, prayed him to pardon their offence, and to grant them fair winds, and a ſafe voyage during the remainder of their expedition. Their prayers were heard. The ſtorm no longer raged upon their ſhip: And it was even the firſt of all the fleet to paſs Saint Abb's Head, in the progreſs of their navigation homeward.—Columba, a ſaint whoſe life had been chiefly ſpent, and his miracles wrought in an inſular ſituation, amid ſtorms, and billowing ſeas, and all the miſeries, perils, and adventures of a people accuſtomed to a paddling, ſeafaring life, and often periſhing amidſt its dangers; was peculiarly fitted to become the divine guardian of a bay, and the

Of St Columba;

ſaint

saint of seamen. It was at no long distance of time after the former luckless adventure, that another English fleet having likewise entered the Frith of Forth, ravaged all its shores, but without violating the holy isle. One only of the ships of this fleet, had been conducted upwards almost to Stirling, when its company going one shore to plunder the country, fell accidentally upon the commensal church of Dollar, subject to the Abbot of Inch-Columb, and of which by that Abbot's care the choir had been recently repaired and adorned with much curiously elegant work in carved wood. This structure and its carved ornaments seemed a valuable prize. The plunderers conveyed the latter on board their vessel, and sailed away on their return down the Frith. A fair west-wind favoured their course, and they passed on rejoicing, till they came nearly opposite to Inch-Columb, the seat of the abbot, whose commensal church they had pillaged. Here the vengeance of Columba was to overtake those sacrilegious wretches. A south-wind arose in a sudden squall, and overturning, sank the ship, so that not a soul on board escaped alive. The crews of the other ships, in terrour, vowed never more to violate aught that was under the protection of this powerful and vindictive saint. Sometimes Saint Cuthbert, the holy protector of the bishoprick of Durham, was believed to pursue with equal vengeance, the inroads and the sacrilegious

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of St Cuthbert;

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legious devaſtations of the Scots in the North of England. The Virgin Mary, the mother of Jeſus, who was chiefly worſhipped at Haddington, and ſome other places on the ſouth-eaſt coaſt of Scotland, was ſometimes believed to interpoſe equally with ſupernatural power for the protection of her ſhrines and worſhippers, or for the puniſhment of thoſe by whom they were violated. When prayers could not move the Virgin to interpoſe for the ſafety of her votaries, threats were ſometimes more effectual. Upon the occaſion of the great inundation on the coaſt of Eaſt Lothian and Berwickſhire in the year one thouſand three hundred and fifty-eight, when the waters had almoſt riſen ſo high as to overwhelm the buildings of the convent at Haddington; a nun, amid that flutter to which the alarming danger excited her ſimple and unenlightened mind, took up an wooden image of the Virgin which ſtood in the church; and running with it to the water's brink which had already reached the office-houſes of the convent; threatened to plunge the image into the flood, unleſs the Holy Virgin would inſtantly ſtay the efflux of the waters, and cauſe the deluge to abate. Scarcely had the daring nun thus ſpoken, when the waters ſuddenly ceaſed to ſwell, and the flood viſibly ſubſided. The clergy rejoiced in the miracle, although they could not altogether approve the compulſion which had been put upon the Holy Virgin's inclinations.

Of the Virgin Mary;

The

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The virtues of the maſs were often the theme of loud applauſe; and many miracles were fancied to be wrought by power communicated from heaven to do it honour. A remarkable event of this ſort, is ſaid to have taken place in the Frith of Forth, between the Holy Iſle of Inch-Columb and the oppoſite ſhore of Fife. The abbot with his monks were returning from Fife to which they had fled during ſummer, for fear of the piratical deſcents of the Engliſh upon their Holy Iſle. It was in the end of October, when the Engliſh ſhips could no longer appear in theſe ſeas. On board a boat laden with ale and other articles of winter-proviſions, went two ſailors, three eccleſiaſtics, and a maſon. The ſailors being drunk, in ſpite of the reſiſtance of the reſt, would hoiſt the ſail of the boat. A ſquall of wind ſoon aroſe and overturned the boat; upon which both the ſailors and one of the eccleſiaſtics periſhed; while the other two eccleſiaſtics, with the maſon, fortunately eſcaped ſafe to the ſhore, by means of the ropes of the boat, and of ſome bundles of ſtraw. Recollecting afterwards the circumſtances of their danger and eſcape, the prieſts and the maſon found that they had, on the morning of that day, aſſiſted all three at the celebration of the maſs, while their companions who were drowned, had not enjoyed the benefit of the ſame ſolemn act of devotional worſhip. The praiſe of their eſcape was therefore given to the

Of the Maſs.

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the maſs; and this was celebrated as another wonderful miracle accompliſhed by its virtues.—The famous legend of the cave of Saint Patrick in Ireland, was in the higheſt reputation at leſt n England, and probably alſo in Scotland during this century. It was uſual for the prior and monks of the convent to grant their letters to the perſons who had paſſed through the purgatorial trials of the cave, teſtifying the fact to all Chriſtians. Thoſe letters might again be preſented to the Juſticiary of Ireland, and his confirming teſtimony required upon them. In the laſt inſtance, even the letters of the Juſticiary, and other great officers of the Iriſh government, were preſented to the Engliſh King, and received his ſanction. All this was done in the caſe of Malateſta Ungar, and Nicholas Beccaria, both knights and pilgrims from foreign countries, who after paſſing through the trials of that famous Iriſh purgatory, obtained from Edward the Third of England his letters-patent, teſtifying the truth of their deſcent within the cave, and dated from Weſtminſter, on the twenty-fourth day of October, in the year one thouſand three hundred and fifty-eight. A legend ſo wonderful, a cave ſo famous, even in the regions of the Continent, could not but be known to Scottiſh ſuperſtition.—Theſe tales of miracles, the penances which were impoſed, the indulgences which were granted, the high ſpiritual authority which was uſurped by the clergy, better expreſs the popular religious belief, than any thing

in

in the formal ſyſtems of religious doctrines which were reſpected and taught in the theological ſchools of this age*. Sect. II. A. D 1330-1425

The influence of Chriſtianity, civilizing.

Yet the Chriſtian religion is not to be blamed for thoſe abſurdities of ſuperſtition which were inwrought upon it. It was not Chriſtianity that debaſed the minds and darkened the intellects of mankind: But, Chriſtianity, like the ſcience and the fine arts of Greece and Rome, like the monuments of Roman legiſlation, was itſelf overwhelmed by the cruſhing force of a military deſpotiſm, by the invaſion of whatever was ſavage and barbarous, from the fartheſt regions of the earth. Had not the inſtitutions of Chriſtianity withſtood the fatal efficacy of theſe powers of deſtruction, more firmly than any other part of the practices and inſtitutions of the civilized ancients; had the barbarians who ſubdued the Roman Empire, introduced their own ſavage ſuperſtitions wherever they eſtabliſhed themſelves: the darkneſs, which with the origin of their power ſettled over Europe, would have been ten times more gloomy, and more incapable of being diſſipated. The Romiſh hierarchy became a grand machine for pacification and civilization, which with its arms embraced the whole Chriſtian world. The powers of this machine were thwarted, diſordered,

* Fordun XIII. XIV. XV. paſſim:—Fœdera, Tom. VII. —The authenticity of the Letters to Ungar and Beccaria has been queſtioned.

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ordered, enfeebled, by the primary nature and by the diſorders of the feudal governments, as well as by the barbarous manners of the people: but never could its energy be entirely deſtroyed. It was when the influence of this hierarchy chiefly, had given ſomething of ſtability to civil order, that a new dawn of civilization began to break forth, that the day-ſtar of ſcience was ſeen once more to ariſe. Let not the Romiſh clergy of theſe times be ridiculed or reproached for the imperfection of the popular Chriſtianity of the age. Let us regret only, that ſo ſublime a ſyſtem of religion could not reſiſt the influence of thoſe general cauſes, upon which the barbariſm of theſe times depended! Let us rejoice that it exiſted, to cheriſh the ſmouldering ſacred fire, and again to inflame it to a blaze more ſplendid than had ever ſhone before!

Authority of Rome over the Scottiſh Church.

The Roman Pontiff ſtill continued to exerciſe a conſiderably vigorous authority over the Scottiſh church, and to draw, under various names, a large revenue out of Scotland. Diſpenſations and indulgences afforded him much; to many benefices he arrogated an occaſional power of preſentation. Firſt fruits and other impoſitions were modes of taxation, by which the Court of Rome drained away a large ſhare of the revenues of the churches of all the different kingdoms of Europe. But, the patronage of the biſhoprics, and of very many of the

the principal benefices and offices of the church, still entirely, or at leſt imperfectly in the hands of the King and nobles, by whoſe anceſtors they had been founded. One grand object which the Engliſh had in view in their attempts to conquer Scotland, was to ſubject the Scottiſh church to the archiepiſcopal ſee of York, or to the biſhoprick of Durham. Glaſgow was even, for a while, in the time of the Engliſh ſucceſſes annexed to Durham; but the freedom of the Scottiſh church was vindicated, at the ſame time, with the independence of the Scottiſh Crown. To the hopes of the annexation of the biſhoprick of Glaſgow, was it owing that Beck, biſhop of Durham, in the age immediately preceding, ſo zealouſly engaged in the Scottiſh wars. It was from the fear of this ſubjection that the Scottiſh clergy, in general, but eſpecially the archbiſhops of St Andrew's and Glaſgow, were invariably among the foremoſt opponents of Engliſh uſurpation. Monaſtic eſtabliſhments were already exceedingly numerous throughout Scotland; at leſt in proportion to the extent and opulence of the country; and there were not many added to the former number during the buſy, tumultuous, eventful period of the fourteenth century. In the beginning of this century, Robert Bruce had founded in Strathfillan in Braidalbane, a priory for the canons-regular, in honour of Saint Fillan, whoſe aid he believed to have been ſignally vouchſafed to

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him in the battle of Bannockburn. The white friars of Mount Carmel obtained, in the year one thouſand three hundred and thirty, a religious houſe at Queensferry, which was founded by Dundas of Dundas, and was conſecrated to the Virgin Mary. The ſame friars obtained in the middle of the century, a ſimilar eſtabliſhment at Aberdeen. It was the illuſtrious Archibald, ſirnamed the *Grim*, earl of Douglas, and of Galloway, who, in the year one thouſand three hundred and ninety-eight, founded the Provoſtry of Bothwell in Clydeſdale. A few years before, his rival Dunbar, earl of March, had founded a ſimilar religious eſtabliſhment at the town of Dunbar in Eaſt Lothian. Another Provoſtry was founded at Kilmaurs in Ayrſhire, by Sir William Cunningham. The nuns anciently eſtabliſhed at Lincluden near Dumfries, by Dervorgilla, daughter to Alan the laſt of the old lords of Galloway, had at length become notoriouſly diſſolute to a degree that was beyond meaſure diſgraceful to their religious profeſſion; and Archibald the Grim therefore in the end of this fourteenth century, converted the nunnery into a collegiate church, of which his ſecretary, Alexander Cairns, was provoſt, in the year one thouſand four hundred and thirteen. Hoſpitals for the entertainment of ſtrangers, particularly for the nouriſhment and cure of the ſick, were foundations uſually ſubjected to the management of the clergy. Many ſuch hoſpitals had been already founded and endowed

New eſtabliſhments.

endowed in different parts of Scotland; and in the reign of Robert the Second, the ſame Archibald Douglas augmented the number by the foundation of a new hoſpital within the monaſtery of Holywood. The revenue of another which had exiſted at Lanerk, was, by Robert the Third, alienated to Walter Dalzell. The hoſpital of Roxburgh was, by Robert the Third, too, alienated to a perſon of the name of Robert Archibald; and that of Rutherford, was, by the ſame monarch, beſtowed on the abbacy of Jedburgh. The eſtabliſhments for the purpoſes of religion, were indeed multiplied and extended during this period; and various old foundations were enriched: but the circumſtances of the age neither required nor permitted as great a number of religious foundations to be formed in this century, as had been eſtabliſhed in the period immediately preceding; for ſo much had been already given, that there now remained comparatively little to give; and the miſeries of war ſo impoveriſhed the nobles and the Crown, and ſo changed the poſſeſſion of the lands from one poſſeſſor to another; that ſcarcely any one was ſufficiently opulent, ſcarcely any one remained long enough in poſſeſſion of any particular eſtate, to be able to purchaſe the favour of heaven by beſtowing new and large endowments upon the church*.

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In

* Fordun. XIII. XIV. XV:—Spottiſwood's account of religious houſes; printed at the end of Hope's Minor Practicks.

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Learning of the clergy.

In reſpect to Learning, the frequency in which the Scottiſh clergy repaired during the latter half of the fourteenth century, to ſtudy at the Univerſities of England, the honours with which they were crowned at the Univerſity of Paris, the inſtitution of the Univerſity of St Andrew's; repreſent the Scottiſh clergy as becoming continually more attentive to this grand object. They, too, were the authors of almoſt all public writings: and whatever chronicles of paſſing events were kept in the monaſteries; it was by the clergy they were kept. Not the laity, but the clergy, firſt began to cultivate for literary compoſition, the vernacular language of the country; Barbour, who ſang Robert Bruce, was a dignitary in the church; Blind Henry was probably a religious perſon. Even ſuch a diſpute as that which, for ſome time, agitated the nation concerning the rival rights of the Popes Benedict and Martin, had a tendency to incite the clergy to new curioſity and reſearch, and to produce a colliſion of minds which could not but ſtrike out ſome ſparks of heavenly fire.—In their *morals*, the clergy cannot well be ſuppoſed to have been more licentious and depraved than the laity.

Their morals.

Among the biſhops, abbots, and priors, who were the moſt illuſtrious in the fourteenth century, many are recorded to have been diſtinguiſhed by eminent piety, purity of manners, diſintereſtedneſs, and ardent patriotiſm. Yet, too many inſtances of vicious

ous depravity, unavoidably occurred, from time to time, among the cloiſtered monks and nuns. Groſs, brutal luxury, acts of obſcene uncleanneſs, fraudful hypocriſy and impoſture, with vices even more darkly atrocious, too frequently diſgraced the character of whole ſocieties, as well as of individuals among them. Such was a murther committed at Montroſe, in the priory of that place, by a friar, upon the father who governed the convent. This friar, whoſe name was Thomas Platar, being in his conduct exceedingly diſorderly, and refractorily unſubmiſſive to the diſcipline of the houſe, drew upon himſelf frequent but unavailing correction from the ſubprior. The prior himſelf, was at laſt obliged to interpoſe for the purpoſe of overcoming Platar's ſtubbornneſs, and reducing him to decency and regularity of conduct. Even the prior's endeavours were not more ſucceſsful than thoſe which had been already uſed by others. Platar became ſtill more refractory, more obſtinate, more ſullen, more deſperately fixed in his vicious practices. New puniſhments were therefore threatened againſt this incorrigible offender; and it was hoped that the exerciſe of ſome act of unuſual and awful ſeverity, might yet perhaps reclaim him from utter perdition. But, while the prior was preparing, yet heſitating, to inflict ſome ſuch act of wholeſome rigour; and while Platar, with unſubdued ſullenneſs of mind, was reſolute not

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not to avert puniſhment by penitent ſubmiſſion, and yet not free from a fearful expectation of its actual approach; the unhappy wretch was driven to perpetrate an horrible crime. At night he awaited the hour when the prior was to retire to his chamber to reſt; and with a dagger, which he had for this purpoſe concealed about his perſon, ſtabbed the good old man to the heart with a mortal wound. The prior ſurvived but three days. The parricidal Platar; for the prior was accounted the ſpiritual father of his friars; was, within two days after the prior's funeral, expoſed to public ſhame, during a ſermon ſolemnly preached upon this occaſion by Trail, archbiſhop of St Andrew's; and ſince it was by the canon-law illegal to put a clergyman violently to death; was condemned to perpetual impriſonment, there to be fed with the water of bitterneſs, and the bread of ſorrow. He did not long ſurvive; and his body, after his death, was buried in a dunghill*.

Juriſdiction of the clergy.

The Jurisdiction of the clergy was, in this period, great; for the civil magiſtrates were obliged to execute all letters addreſſed to them by the eccleſiaſtical courts, againſt any of the King's ſubjects; and redreſs by thoſe who found themſelves aggrieved by ſentences of the eccleſiaſtical courts, was to be obtained only from the general aſſembly of

* Fordun. &c.

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of the clergy, or perhaps from Rome. The courts of eccleſiaſtical judicature, were thoſe of the different biſhops, and of their chancellors acting under their authority,—of the archbiſhops,—of the national aſſembly of the whole clergy,—of the Pope and his Cardinals,—of the general councils of the whole church. The ſacred books of Chriſtian doctrine, ſo far as their precepts tended to combine Chriſtians in ſocial union, naturally preſcribed ſome rules applicable to civil conduct. The communities of the firſt Chriſtians, regulating their religious obſervances in a certain known order, and taking cognizance of the moral and civil conduct of their different members; thus created for themſelves a ſpecies of law, different from the laws of the ſtate; by which their crimes were reſtrained or puniſhed, and their differences determined. When the coloſſal ſtructure of the hierarchy was reared by Conſtantine; the private regulations of the Chriſtians, either received ſuch a ſanction from the imperial authority as was ſufficient to confer upon them all the force of legiſlative obligation, or were altered and moulded into a new form in which that ſanction was conferred upon them. Biſhops, archbiſhops, patriarchs, general councils now acquired a wide juriſdiction, and a potent authority: The buſineſs of the church roſe in the eaſt and in the weſt to divide with wars and political negotiations, the anxious cares of the Roman emperors;

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and the *ſacred codes* of Chriſtianity, and the *conſtitutions* of the church began to rival in the diſtribution of juſtice, the *ſenatus-conſulta* and *plebiſcita* of ancient Rome, the deciſions of prætors, the opinions of Roman lawyers, the reſcripts of Emperors, the collections of Theodoſius and Juſtinian. In the weſt eſpecially, the earlier abolition of the authority of the civil laws of Rome, although it might at firſt diſturb, yet ſoon came greatly to favour and to exalt the authority of that other body of laws which the clergy formed, explained, and enforced. In compariſon with the laws of the Barbarian conquerors of Europe, how infinitely more rational, juſt, and perfect, were the rules of the diſcipline of the church! While the church made itſelf the reconciler of differences, the protector of innocence and weakneſs, the ſagacious counſellor of rude ignorance and inexperience; the power of its own internal laws, and of thoſe ſpiritual ſanctions by which alone it pretended to enforce them, became almoſt uncontroulable. Its command of the keys of heaven, of hell, and of purgatory; its miracles, its impoſtures, its indulgences; its wealth, and all its political artifices; afforded ſo many ſanctions to enforce the authority of its laws. The legiſlation of the Jewiſh theocracy, contained in the Old Teſtament, being highly favourable to prieſtly authority; was eagerly dragged into the ſame ſervice as the goſpel, the epiſtles of the New Teſtament

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Teſtament, the decrees of councils, and the letters of patriarchs and popes. The biſhop of Rome, in the ſeparation of the weſtern from the eaſtern church, exalted in the pontifical chair, could now fulminate his mandates with an authority which Kings and Emperors ſhould ſtrive to arrogate in vain. Conſtant practice in the diſtribution of juſtice upon ſuch principles, and under ſuch ſpiritual ſanctions, gave ſtability and uſefulneſs to the whole ſyſtem, armed it with the inſtruments of forms, and enlarged it by commentaries and recorded deciſions. To their ſpiritual ſanctions, the clergy failed not to make the ſecular power add the full force of all thoſe temporal ſanctions by which its own laws were maintained.—Such was the riſe of the Canon-Law; and ſuch its progreſs in the ſtate in which it exiſted in Scotland, as well as throughout the reſt of Europe, during the fourteenth century.—The objects which fell more particularly within its province, were, *firſt*, every thing relative to the character, qualifications, functions, and relative authorities and dignities of eccleſiaſtical perſons; *ſecondly*, all the concerns of their emoluments and benefices; *thirdly*, the regulation of many things which, although belonging more eſpecially to the laity, and to the ſecular concerns of human life, were, however, from accidental circumſtances, connected with ſpiritual affairs, and placed under the power of the clergy; ſuch as marriages, teſta-

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ments, and other things similar; *fourthly*, all the common concerns of their *villains*, *vaſſals*, and other dependents, who were ſubject to them as the ſuperior or immediate lords of baronies and other eſtates; *fifthly*, all ſuch other affairs as could be, by any ties of connexion with theſe, brought within the ſphere of their juriſdiction, ſo as to promote the increaſe of their wealth or power. Appeals lay from the deciſions of the inferior to the ſuperior, eccleſiaſtical courts; the Pope, and general councils deciding finally with authority from which, as it was fancied, there could be no appeal in earth, or in heaven. The power of the CANON-LAW in Scotland was at its loftieſt height in the end of the fourteenth, and in the beginning of the fifteenth century; for the diſcovery of the *Civil Law*, and the new ardour with which it was ſtudied and applied to practice, although they might at firſt promiſe to augment the authority of the church, and of the CANON-LAW, proved, in the end, unfriendly to them*.

ENJOYMENTS.

IV. THE morals of the Scots, in this age, were far from being conſiderably favourable to the ENJOYMENT of general happineſs. That contempt of law, and of all the reſtraints of ſocial order, which was almoſt univerſally diſplayed by the great barons during the reigns of David Bruce, and of the two

* Fordun, paſſim:—Buchan.—Leſl.—Lancelotti Peruſini Inſtitutiones Juris Canonici, &c.

two firſt of his ſucceſſors, annihilated to the Scots, almoſt all the beſt advantages which were to be derived from their civil union. Thoſe barons who ſcorned the royal authority, and ſlighted even the laws to which they had themſelves agreed; often ruled their reſpective *villains* and dependents, with the moſt impotent, tyrannical ſway. Their greatneſs was evinced, ſolely by acts of ſavage cruelty. Their caſtles were the den of the lion in the fable, from which none who entered, was ſeen to come away in ſafety. The horrours of thoſe dark receſſes of cruelty and oppreſſion, were in reality no leſs dreadful than the fortreſſes and the dungeons of the giants and wicked knights and barons of romance. The unbarred dungeon of a Douglas or a Stewart might have poured forth a crowd of wretches in all the moſt horrible gradations of extreme diſtreſs which the fancy of a Dante could conceive, or the pencil of a Reynolds pourtray. The names of ſome eminent victims have alone reached our ears. But, could the ordinary crowd have been brought forth, to tell the ſecrets of their priſon-houſe? ah! what numbers ſhould we not find to have periſhed, even more miſerably than Ramſay, Bullock, and young Rothſay periſhed. The *aſſaſſinations* ſo frequently perpetrated during this age, were terribly hoſtile to the ſecurity of ſocial life. Nor is it to be fondly ſuppoſed, that theſe were exerciſed only upon the perſons of one or two great men, or upon ſome rare occaſions. They were

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were frequent; they were the crimes of all conditions in life: They deſtroyed the mutual confidence of man in man.

Famine and peſtilence.

THERE were alſo other miſeries, beſide thoſe inſeparable from war and from barbariſm, to afflict human life in Scotland with terrible ſeverity, during this age. Famine, one of the moſt dreadful ſcourges which the hand of Providence can employ to chaſtiſe mankind, often cut off the inhabitants of Scotland in multitudes together. Peſtilence, ſtill more deſtructive than famine, advancing from the eaſt like a wide-waſting fire, twice ravaged all Europe; and came to cut off in Scotland, thoſe whom famine and the ſword of war had ſpared. At its firſt approach this terrible diſorder, attacking rather the ranks of meaner life, than the nobles and the opulent whoſe more generous fare, more commodious lodging, and cleaner clothing, ſerved in part to protect them againſt infection; deſtroyed almoſt a third part of the human race in all thoſe countries which it viſited. Two days the wretched victim ſickened; on the third he died, having all the parts of his body prodigiouſly inflated and ſwollen above their natural ſize. An univerſal terrour and alarm, ſcarcely leſs unfortunate to ſociety than the actual contamination of the diſtemper, pervaded all ranks. Parents deſerted their children in their laſt agonies; children fled from

from performing the laſt melancholy offices to their dead or dying parents; the affections of nature were ſtifled in the breaſt; the ties of ſocial life were diſſolved. The virulence of this epidemical diſtemper was at laſt exhauſted. Within leſs than twenty years, however, another ſimilar epidemia ravaged the land. Its form and mode of affecting the patient, were the ſame as in the former; but its energy no longer confined particularly to haraſs the poor, now preyed upon all ranks alike. In the year one thouſand four hundred and twenty, a diſtemper which received the vulgar name of *Le Quhew*, and was ſuppoſed to have been occaſioned by the extreme uncertainty and irregularity of the ſeaſons, ravaged the kingdom with a terrible havock. The leproſy, which was perhaps nothing more than ſome particular modification of inveterate ſcurvy, occaſioned by the exceſſive uſe of ſalted proviſions, by dirtineſs of clothing, by narrowneſs and filthineſs of domeſtic accommodation; was ſtill prevalent in the country, and was deemed incurable. Add to this, that the ſcience of medicine, the art of ſurgery, cannot be ſaid to have had, as yet, an exiſtence in Scotland. It was an Engliſh monk from whoſe preſcriptions Randolph ſought relief in vain. We find occaſional notices of benefices beſtowed upon the phyſicians to the kings of England, and ſums of money paid to them: But no ſuch notices occur concern-

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ing any ſimilar rewards granted to the phyſicians, whoſe cares watched over the health of the Scottiſh monarchs.

Amuſements.

YET, the Scots of this age wanted not their feſtive amuſements, to chear the miſeries, to enliven the gloom of that precarious and diſtreſsful life to which they were too often expoſed. This was the age in which the ſhows of the tournament, or mimic combat, were frequently exhibited in barbarous magnificence and rude ſumptuoſity. How much more humane and refined did even our barbarous anceſtors, in this inſtance, prove themſelves to be, than were the ancient Romans whoſe entertainments, imitative of war, were ſtained with the blood of the unfortunate gladiators, by whom they were exhibited! It was in the primary intention of the Roman exhibitions, that the blood of the gladiators ſhould be actually ſpilt and their lives prodigally waſted. If blood were ſhed, if lives were loſt, in the tournaments of the dark ages of modern Europe; it was by accident; for the purpoſe of the ſports was ſolely to exhibit a bloodleſs trial of ſtrength, agility, and dexterity. In judicial combat alone was the fight to be urged unto death. In the year one thouſand three hundred and ninety-eight, Morley, an Engliſh knight, a noted combatant in tournaments, came into Scotland for the purpoſe of

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of provoking any doughty Scottiſh knights to ſingle combat; and was, for ſome time, honourably entertained at the court of Robert the Third. At this court he was, however, accuſed of having ſtolen, or having attempted to ſteal, a precious cup of great value from the King's table. This accuſation produced a challenge; but combat was forbidden. Morley was, however, accompanied or followed to Berwick by ſeveral Scottiſh gentlemen, who there propoſed to try their proweſs againſt him. He firſt contended with Archibald Edmonſton, and Hugh Wallace, ſucceſſively, under this condition of conflict, that the combatants ſhould alternately ſtrike each a certain number of blows, and then ceaſe from contending; and that he of the two who ſhould, before the allotted number of blows were ſtruck, confeſs himſelf to be worſted, or ſhould at the end of the combat be overthrown, and diſabled, was then to be accounted vanquiſhed, and his adverſary to be adjudged the victor. Over both Edmonſton and Wallace, Morley, on the ſame day, triumphed. On the day following, however, he was oppoſed by Sir Thomas Trail, who ſo mauled Morley, that the judge of the combat, an Engliſhman, interrupted the conteſt, to ſave Morley's life; after which this champion offered no more boaſting challenges to the warriours of Scotland. Morley was a Quixotic knight-errant, ſo enamoured of the fame of prevailing in the tournament, that he

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he travelled at a great expence through different countries, ſtill challenging knights to ſingle combat, and ſtill triumphing, or meeting defeat and diſgrace. Having at laſt conſumed all his patrimony, without raiſing himſelf by his knight-errantry, to any thing of that ſplendid fortune of which his imagination had fondly dreamed, he at laſt died, amid the miſery of want, and of the cruel vexation of diſappointment.—It was on the year immediately before Morley's coming into Scotland, that, at the deſire of Queen Annabella Drummond, there was a grand conteſt of twelve knights—at the head of whom was her ſon, the young duke of Rothſay,—celebrated at Edinburgh on the north ſide of that town, and on the very ſcene, which was afterwards ſo much overflowed with water as to ſubſide into a lake;—the famous North-Loch; which was deſtined to be, after the revolution of four centuries, drained, and again deſiccated; and if not to become again a *Campus Martius* for the ſpectacles of the tournament, was, however, to be defiled by the carnage and filth of a ſlaughter-houſe, to be enriched by horticulture, to be graced by a bridge worthy of ancient art, to be divided by a mound of earth, which, however uſeful, ſhould ſeem to part it awkwardly into two pits.—Even in England the brave warriours of Scotland, repairing thither in times of truce, not ſeldom diſtinguiſhed themſelves by carrying away

the prize, at the ſports of the tournament. It was in the two years immediately preceding that David Lindſay, the firſt earl of Crawford, in the preſence of Richard the Second of England, obtained great glory in a tournament at London, and was diſtinguiſhed with high honours at Richard's court, on account of his martial gallantry. Amid the feſtivities which followed, a boaſting Engliſhman ſaid to William Dalzell, one of Crawford's companions, that the Scots of that day would not have been ſo brave, had not Engliſhmen, in the days of Edward the Third, lain with their mothers. Dalzell, with equal temperate prudence, and ſhrewdneſs of wit, replied, *That, in this caſe, ſcullions and footmen had certainly lain with the Engliſhmen's wives at home.* The ſame Dalzell, being no leſs brave than wiſe, upon another occaſion, was induced to engage in a bold recounter with an Engliſh knight, named Piers Courtenay. Courtenay was gayly clothed in a new gown or doublet, on which was embroidered the figure of a falcon, with a line of writing proceeding from its bill, in the following words: *I beer a falcon, faireſt of flicht; quha ſo pinches at hir, his deth is dicht in graith.* This man was one of the moſt famous combatants with the ſpear, then in England, was uterine brother to the archbiſhop of Canterbury, and was commonly known by the appellation of the King's champion. Yet no ſooner

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had Dalzell remarked his emblem, and read the inſcription, than he without delay, had a new doublet made for himſelf, with a magpie painted upon it, and theſe words repreſented as iſſuing from the magpie's bill; *I beer a py pykkand at ane pes; quha ſo pykkis at her, I ſal pyk at his neſe, in faith.* This new device, with the inſcription of Dalzell, quickly ſtruck all eyes as being aſſumed in deriſion of Courtenay. A challenge was ſoon given and accepted. They agreed to combat on horſeback, agreeably to the regulations of the tournament. When they armed themſelves, the Scot, of purpoſe, left his helmet unfaſtened. The conſequence of this was, that his head was quickly bared, expoſing his face indeed, but, at the ſame time, enabling him to ſee more diſtinctly in what manner he ſhould beſt aim his ſtrokes, for the purpoſe of annoying his opponent. At the third mutual aſſault, therefore, he ſtruck the Engliſhman on the face, and broke away ſeveral of his teeth. Courtenay enraged at the artifice, complained paſſionately to the King. Dalzell offered to fight with him again for two hundred pounds on the condition, that both ſhould in this new combat be, in all reſpects, equipped alike. Courtenay could not refuſe the conditions. The match was made. But then, Dalzell, who was blind of an eye which he had loſt in the battle of Otterburn, inſiſted that Courtenay ſhould have one of his

his eyes likewiſe put out, in order to be in a condition to enter on equal terms into the propoſed combat. This could not be; and after various altercations, and the threatening of a number of conteſts among the knights who eſpouſed the one or the other ſide in the quarrel; Courtenay, ſince he would not put out his eye, was compelled to pay his two hundred pounds. Theſe are but ſmall matters, and may ſeem to be ſcarcely worthy of the dignity of hiſtory; yet they exhibit perhaps, more impreſſively, and with more of pictureſque effect, than facts of greater oſtenſible importance, the very form and preſſure, the caſt, the colours, and all the mingled lights and ſhades of the manners of this intereſting age*.

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Sed fugit interea, fugit irrevocabile tempus,
Singula dum capti circumvectamur amore.

* Fordun, Lib. XV.

BOOK

BOOK FIFTH.

FROM

THE RETURN OF JAMES THE FIRST,

TO

THE ACCESSION OF JAMES THE SIXTH TO THE ENGLISH THRONE.

HISTORY OF SCOTLAND.

BOOK V.

SECTION I.—CHAP. I.

Reign of JAMES the FIRST.

A MINORITY on the throne; an adminiſtration of which the members, although not wanting in either political or military talents, were however divided againſt one another by oppoſition of perſonal intereſts, and therefore tore aſunder, inſtead of guiding and impelling with one combination of efforts, the machine of government which was conſided into their hands; conqueſts too extenſive for the military force which there was to retain them in ſubjection, and defend them againſt foreign foes; enemies on all ſides whoſe hoſtilities were inceſſant, and their hatreds inextinguiſhable,—becauſe their very exiſtence ſeemed to depend on the humiliation of the power of the Engliſh; at home, an haughty, powerful, and factious nobility, commons who began, every day, to feel more ſenſibly their own ſtrength, and more boldly to aſſert their rights, A. D. 1423-37. Situation of the Engliſh Government.

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rights, a family, the rivals of the ſovereign, who cheriſhed ſecret and not unjuſt pretenſions to the Crown: Theſe were the particulars compoſing the grand features of the public and political ſtate of England, at the time when the ſubjects of the young King of the Scots ſent ambaſſadors to negociate his liberation out of that captivity, in which he had now been for eighteen years detained*.

Prudent conduct of James, during his captivity.

James himſelf had, during his captivity, ſo acted, as at once to impreſs the world with the moſt favourable expectations from his virtues and his talents, and to perſuade the Engliſh, that he was cordially attached to their arts and manners, and devoted to their political intereſts. Such was the courteſy of the age, as to afford ſtill the moſt liberal entertainment to priſoners, if their knightly honour were unſtained by cruelty, cowardice, or falſehood, if any liberal ranſom might be expected for them, or if any important, political purpoſe might be ſerved by their detention, and their kindly treatment. Of this practice in the manners of the age, James had received the full advantage. Not the priſoner of war, but detained in violation of the law of nations; too young to have ever yet exerciſed any actual hoſtilities againſt the Engliſh; the heir to a crown; there was nothing in theſe circumſtances that could induce the Engliſh to treat him with negligence or harſhneſs. They inſtructed

* Hollinſhed, &c.

instructed him in the learning of the times; withheld him not from accomplishing himself in the exercises of war; did not restrain him from acquiring that experience in the general concerns of human life, and that acquaintance with the business of government, and with the spirit of the politics of the age,—which was requisite to fit him for the reputable discharge of those high functions of sovereignty to which by his birth he was destined. James seemed to shew himself not ungrateful for so many courtesies and favours. At the request of Henry the Fifth he had endeavoured, although in vain, to detach the Scottish auxiliaries from the service of France. His uncle and his cousins, the usurpers of his Crown, being devoted to the French interests, seemed thus to create a necessity for James's devoting himself to those of England. Contriving to reconcile his love with his political interests, he wooed, and won for his wife, Jane of Somerset, niece to Cardinal Beaufort; who partly by his talents for intrigue, and partly by the natural influence of his rank, his wealth, his offices, and his consanguinity to the prince, was, at this time, the most powerful member of the English administration*.

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The ambassadors who went from Scotland to solicit his release, were, in consequence of this state of the English affairs, and of this prudent conduct

Willingness of the English to set James at liberty.

* Fordun, XVI. 1:—Hollinshed, Vol. III:—H. Boeth.

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of James in regard to the Engliſh, received with no ungracious regard, by the miniſters of young Henry's power. The ranſom for the Scottiſh King was quickly fixed at an hundred thouſand merks ſterling. Half of this ſum was, by the influence of Beaufort, remitted in name of the dowry to James's queen, payable on account of her conſanguinity to the Engliſh monarch,—for ſhe was the grand-daughter of his grand-uncle,—out of the royal treaſury. For the payment of the other half, aſſoon as it could be levied upon the people of Scotland; it was ſtipulated that a certain number of the ſons of the Scottiſh nobles ſhould be ſent as hoſtages, into England; and that upon their arrival, James ſhould be honourably diſmiſſed. Henry's adminiſtration might now flatter themſelves, that, by this policy, they had deprived the French of their beſt reſources for levies of gallant auxiliary troops. Beaufort might imagine that, by means of his niece, he ſhould henceforth be, in a great meaſure, maſter of the politics of Scotland, and might find there a ſure reſource to ſupport his power in England. The Scots might indulge the fondeſt hopes of new order, felicity, and peace, to be charmed up from the boſom of political confuſion, diſcord, and uproar, by the very aſpect of their young monarch. Even Albany and his ſons might be inclined to hope, that by this laſt involuntary ſervice to James, they ſhould have compenſated in his eſtimation for all

all the demerits of their former neglect of him, and of that long perſecution by which *their* family had apparently laboured to extinguiſh *his**. Sect. I. Chap. I. A. D. 1425-1330

The hoſtages were delivered into the hands of the Engliſh. James was conducted homeward as far as to the confines of his own kingdom, by Cardinal Beaufort, uncle to his queen, and the earl of Somerſet, her brother, with a ſplendid train of attendants. He was here eagerly received by the nobles of his kingdom, who thronged to meet him, and was conducted in great joy and pomp to Edinburgh. After remaining for a ſhort time in Edinburgh, he proceeded to Scone, whither his nobles, prelates, and burgeſſes, had been, in the mean time, ſummoned to aſſemble in Parliament. At Scone he was ſolemnly inaugurated in the ſovereignty by the ceremonies of coronation. His couſin, the duke of Albany, had the honour of ſeating him upon the throne: The religious rites were performed by Trail, archbiſhop of St Andrew's: The biſhops, nobles, and other eminent men of the aſſembly, ſtood around, while theſe ſacred offices were celebrated. James was now in the twenty-ſeventh year of his age, when he ſaw himſelf thus ſeated in peace, upon the throne of his fathers†. James's return.

The

* Eoſdem.

† Fordun:—Buchanan:—Drummond:—Skene's Acts, &c.

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A subsidy granted to James by his Parliament.

The next object of the Parliament's care, after the coronation of their King, was, to make provision for the support of his regal dignity, and for the release of the hostages in England, by the payment of that moiety of his ransom which still remained due. For these purposes, it was readily agreed by a Parliament exceedingly disposed in the first ardour of untried loyalty, to gratify the wishes of their monarch; that a taxation should be levied over the whole kingdom, for the space of two years successively, at the rate of twelve pence out of every pound of rents from lands whether pertaining to spiritual or to temporal proprietors, and of four pennies in the pound of the total value of all moveable goods. Such a taxation, although new, and therefore likely to be felt as grievously burthensome by all ranks of men, but especially by the commons who had not like many of the barons, their children to redeem out of captivity; was, however, the only resource which now remained, to answer the ends for which it was designed. The rapacity of Albany's family, and of other nobles who had with them shared the spoils of the Crown, had alienated almost all the royal domains: The customs levied upon the exportation or importation of articles of merchandize, were, comparatively, but small. The incidents of ward and relief, and other feudal servitudes due from the immediate vassals of the Crown,

Crown, were far from being adequate to supply the deficiency: And James saw himself almoſt as deſtitute of the gifts of fortune, even now when he was a monarch in the midſt of his ſubjects, as while he had languiſhed in diſtant captivity. But leſt this new experiment of taxation ſhould prove inadequate to the end propoſed; an inqueſt was alſo decreed to be made concerning thoſe lands which, although now alienated, had belonged to the Crown, during any of the three reigns immediately foregoing. Theſe meaſures, obviouſly dictated by James's own diſcerning judgment and firm deciſion, might teach his barons to conceive ſome anxious expectations of the energetic government of the opening reign. For the firſt year, the tax diligently collected under the direction of William, biſhop of Dumblane, and Walter, abbot of Inch-Columb, afforded the ſum of fourteen thouſand merks. But, on the ſecond year it yielded a ſum ſo extremely trifling, and that paid with ſuch univerſal murmurs, complaints, and threats; that James was forced to abandon, for a time, the plan of taxation, to which he had not again recourſe till the tenth year of his *actual* reign*.

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While the levying of the tax went on ſlowly, without affording a revenue adequate to the expectations and neceſſities of the monarch, yet not without

Diſcontents of the barons.

* Fordun.—Skene's Acts.

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out irritating and alienating the minds of many of his ſubjects: The inqueſt which had been inſtituted concerning the crown-lands, began to evince that the Crown could not have been reduced to that extreme indigence in which James had found it; had its poſſeſſions and revenues not been waſtefully dilapidated during the three preceding reigns, but particularly during the adminiſtration of the late duke of Albany. James now clearly ſaw what he had been before inclined to believe; that he muſt provide for the ſupport of his regal dignity by reſuming from the nobility, not by taxing the commons. Already were the nobles, poſſeſſors of lands acquired by recent grants from the Crown, generally alarmed. Having ſo readily agreed to the idea of taxation, a meaſure which James's knowledge of the Engliſh policy, had ſuggeſted to him; their firſt hopes were, that this reſource alone might ſo amply ſupply all the wants of their ſovereign, as to leave him under no neceſſity to diſturb them in the poſſeſſion of lands to which many of them might ſuppoſe that they had a now full preſcriptive right. But, ſeeing how much farther the ſcope of James's purpoſes tended, and perceiving that the reſource of taxation was wholly inadequate to his wants; they began now to conſpire ſecretly together, and even to menace more openly reſiſtance and diſappointment to his ſchemes*.

But,

* Fordun:—Boeth:—J. Major, &c.

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Decisive and vigorous activity of James.

But, James was powerful in his own personal talents. The admiration of those abilities for government which he had, even thus early displayed, struck the hearts of his enemies with dismay; he had not yet lost that popularity with which the whole nation lately met his return; nor was the memory of the weak yet impotently tyrannical sway of Albany and his father, already forgotten. With the promptitude of resolution, not of a man who decides hastily, because he knows no reason for taking one part rather than another; but of a man whose mind is capable of ready decision, because it is firm, comprehensive, and continually active; James instantly called his Parliament again together, and proposed for their immediate sanction and execution, those measures, which the ill-success of the taxation, the result of the inquest, and the rising tempest of conspiracy, appeared to demand. Conspiracy had begun to strengthen and declare itself by leagues among the discontented nobles; and such leagues were declared unlawful and forbidden. Treasonable attempts to sow dissension between the King and his people, were forbidden under the penalties of death and forfeiture. Even against persons who although themselves not openly engaging in rebellion, should, however secretly, lend support and favour to rebels, the punishment of confiscation was denounced. To give efficiency to these measures, before his enemies

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enemies ſhould recover from that perplexity of irreſolution, rage, and fear, into which his bold activity had neceſſarily thrown them; James, at the very ſame time, arreſted and caſt into confinement, in different caſtles, his couſin the duke of Albany, his two eldeſt ſons, the earls of Lennox, Douglas, Angus, and Dunbar, with more than twenty other barons*.

Albany and his ſons in confinement.

By this blow ſo boldly ſtruck, his enemies were wholly diſarmed, and left without any head to foment, or to direct conſpiracy. Of the inferior barons who had been ſeized, many ſoon appeared to be entirely free from all guilty purpoſes againſt their ſovereign and his government; and theſe were quickly ſet at liberty. Others, although detained in impriſonment, were not brought to any immediate trial. But, againſt the chiefs who had ſo long uſurped the royal authority, and plotted to extinguiſh the family of the King; meaſures more fatally ſevere, were requiſite. While James perhaps heſitated to conſign the necks of his own near kindred to the axe of the executioner; James Stewart, the youngeſt ſon of the duke of Albany, who, in contempt or kindneſs had been left at liberty, when his father and brothers were put under arreſt, or had poſſibly made his eſcape from the vigilance of the King's officers; ſeizing the fortreſs of Inch-Merin, on the iſle of the ſame name,

† Fordun:—Drummond.

name, within Lochleven; ſtrengthened himſelf in it againſt the King's power; in ſome furious excurſions cruelly ſpoiled the circumjacent country, burnt the town of Dunbarton, there ſlew the King's uncle, Red John Stewart of Dundonald, whom he ſurpriſed in the town with but few attendants; and after committing as many furiouſly vengeful acts as he dared to undertake, made his eſcape into Ireland; carrying with him the wife and ſons of his brother Walter. Theſe audacious outrages of young Stewart, kindled up all the monarch's rage. His Parliament now unanimouſly devoted to obey his pleaſure, paſſed ſome acts prohibiting emigration to Ireland, and reſtricting ingreſs from it, for the purpoſe of checking any intercourſe which the exiled rebel might ſtrive to maintain with the weſtern parts of Scotland. And to fruſtrate any farther attempts in favour of the ſtate-priſoners; a ſpeedy meeting of the Parliament was appointed again to take place at Stirling, for their trial and final condemnation or acquittal*.

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At Stirling, they were produced before an aſſize of their peers; an aſſize of a number of the moſt eminent barons of the kingdom, among whom

Put to death.

* Fordun, XVI:—Boeth. XV:—Buchanan:—Leſl. VII.—Skene's Acts:—Hume's Hiſtory of the Douglaſſes, P. 135:—Drummond, James I. &c.

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were even ſeveral of thoſe men whoſe alliance to the principal offenders, or ſuſpected intrigues with them, or reſentment of injuries apprehended or ſuffered by themſelves, had procured their impriſonment at the ſame time when the duke of Albany and his ſons were firſt put under arreſt. Albany and his ſons, with the earl of Lennox his father-in-law, were the only perſons brought to trial. Their crimes of conſpiracy againſt the King's dignity and ſafety, of a rapacious alienation of the revenues of the Crown, of a diſorderly abuſe of that delegated authority which had remained in their hands while the King was a captive; were glaringly manifeſt. Other cauſes for their condemnation, exiſting in the long perſecution of the monarch's family by theirs; in the impoſſibility of James's eſtabliſhing himſelf with full authority in his kingdom, while they ſurvived in their preſent opulence and power; in the neceſſity of forfeitures to ſupply a fund for the ſupport of the dignity of the Crown; weighed perhaps even more with James and his judges, to determine them to the condemnation of the accuſed princes, than the guilt of any crimes that were openly alledged and proved againſt them at their trial. They were condemned to capital puniſhment; and were without delay publicly beheaded on the Caſtlehill of Stirling; while the dukedom of Albany, with the earldoms of Fife, Menteith, and Lennox, were, by their

their condemnation and execution, forfeited to the Crown. On the ſame day were executed, by a mode of puniſhment more atrociouſly cruel, five of the followers of James Stewart, now a fugitive in Ireland; who had been ſeized before they could make their eſcape after their maſter. Theſe unfortunate men were torn in pieces between horſes; and their diſſevered limbs were then hung in chains; —a ſpecies of puniſhment apparently new in Scotland, and ſo adverſe to the ſpirit of the criminal law of the feudal ſyſtem; that it ſeems to deſerve to be aſcribed rather to thoſe rules of policy and juſtice, which were now eagerly borrowed from the faſhionable volumes of the *civil* law, for the correction and enlargement of the *feudal*. Not ſatified, while the fort of Inch-Merin in Lochlomond was as yet in the hands of a rebel-garriſon, the ſervants of the fugitive James Stewart; the King immediately ſent againſt it a conſiderable force, under the command of ſeveral barons of the weſtern counties. After withſtanding a few days of ſiege, that fortalice was ſurrendered. Thus awfully was treaſon puniſhed; and thus ſucceſsfully was rebellion quaſhed*.

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WHILE James executed puniſhment upon the guilty, and humbled the arrogant among his ſubjects; he was, however careful not to urge his

* Eoſdem quos ſupra.

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his ſeverity farther than political neceſſity ſeemed to require. Almoſt all thoſe other barons who had been put under arreſt with Albany, his ſons, and Lennox, were ſoon ſet at liberty. The levying of that taxation which had excited the murmurs of the people, not ſo much that it was grievous, as becauſe it was a burthen they were unaccuſtomed to bear; was diſcontinued aſſoon as its unpopularity had been clearly evinced, or rather aſſoon as forfeiture had provided other ſources of revenue, to ſupport the dignity of the Crown.

General train of James's government.

Amid that vigilance and prompt activity with which he watched and met the exigencies of his internal government; James found occaſionally leiſure to cultivate thoſe elegant arts of which the ſtudy had ſolaced and amuſed his long captivity. Frequent meetings of his Parliaments ſtill confirmed the reign of law, and enlarged the code of its regulations with new acts, correſponding to the new demands of altering manners, and of more correct and liberal ideas of diſtributive juſtice. To augment his domeſtic comforts, a daughter was, within a ſhort time, born to him; Margaret, deſtined to be, one day, the miſerable ſpouſe of Lewis the Eleventh, the moſt odious and tyrannical, but the moſt politic and fortunate of almoſt all the kings of France. Ambaſſadors from France courting the renewal of the ancient alliance between the French and Scottiſh kings, were graciouſly received, entertained

tertained with royal magnificence, and gratified in the objects of their embaſſy. James gladly renewed the ancient treaty, promiſed his infant-daughter in marriage to the dauphin, and forbade not the Scottiſh youth to obey the call of glory, and repair to contend under the banners of France againſt their Engliſh foes. But, he would not ſo far eſpouſe the intereſts and the quarrel of his French allies, as for their ſake to plunge immediately into a new war with England. Yet, to arm the commonalty more effectually than they had hitherto been armed, againſt the yeomanry of England, he inſtituted many new regulations for the encouragement of archery; and enforced them with all the weight of parliamentary ſanctions, and with all the vigilance and energetic activity of his own executive power. So wiſe, ſo happily tempered between moderation and rigour, was the whole tenor of his government; that although ſome ſecret reſentment might ſtill lurk in the breaſts of ſurviving friends of the princes who had been put to death; yet none dared again to conſpire, or to riſe in open rebellion againſt their King: although the nobles in general might regard with anxious jealouſy ſuch an augmentation as James's perſonal abilities acquired to the power of the Crown; yet they dared not to attempt reſiſtance: although the commons might find cauſe of complaint, as well in the ſtrictneſs with which the exerciſes of archery were enforced,

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forced, as in the newneſs of that taxation which their murmurs alone had prevented from becoming a more regular and permanent ſource of public revenue; yet even they roſe in no popular tumults to check and reſiſt the courſe of the laws. An embaſſy from England, in the mean time, ſtrove to win James from the alliance of the French, and from giving his daughter in marriage to the ſon of their king; but could neither divert him from perſevering in that doubtful neutrality which his diſcernment of the true intereſts of his kingdom ſtill induced him to maintain; nor ſeduce him to violate his plighted faith in reſpect to the eſpouſal of his daughter*.

Acts of juſtice againſt the Highland clans.

AMIDST this tenor of adminiſtration, and this progreſs of public affairs; the concerns of his internal government, which was the grand theatre of his ambition and his glory, called James to a ſort of new conqueſt of the barbarous clans of the north. The peculiarity of their Gaelic ſpeech, the remoteneſs of their country from the acceſs of order and civility, and the ſavage rudeneſs and ferocity of their manners, rather than any refractory denial of fealty to the Scottiſh Crown, had hitherto held theſe clans in a ſtate of lawleſs anarchy. At times, the ſovereign or his juſticiary, when there was peace in

* Fordun, XVI:—J. Major:—Skene's Acts:—Mezeray:—Hollinſhed:—Rymeri Fœdera, &c.

in the Engliſh border, would make a progreſs northward, and exerciſe upon thoſe diſorderly hordes. ſome terribly rigorous examples of criminal juſtice, For a moment, the example might impreſs a general and ſalutary terrour. But, no ſooner was the danger over, the arm of the executive government withdrawn, and its eye averted elſewhere, than the feuds, the rapine, all the lawleſs licentiouſneſs of the clans, were ſtill renewed even with wilder and more ſavage frenzy than before. Never had theſe feuds riſen to a greater height than in this firſt period of James's reign, before he could find leiſure to make his firſt juſticiary progreſs into the counties of the north. The diſtrict of Strathnaver particularly, was inhabited by the clan of the Mackays, whoſe reſtleſs ferocity was inceſſantly employed in ſome enterpriſe of rapine or bloody conteſt with their neighbours. Angus Dow Mackay, the chieftain of Strathnaver, with his ſon Neill, and all the warriours of their clan, in the year one thouſand four hundred and twenty-ſix, made a ravaging inroad into Caithneſs, to ſpoil the diſtrict, and bring away a booty in cattle and other goods. At Harpiſdell, they were oppoſed by the men of Caithneſs in a deſperate battle, from which neither party came off victorious. The feud was relentleſsly proſecuted with all the fiend-like malignity, the perſevering vigilance and activity, the artful ſtratagems, the carnage-enjoying fury of ſavages; when

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when James came in perſon to Inverneſs, to repreſs and puniſh this and other ſimilar diſorders, Againſt theſe chieftains and their followers in their own territories, open force, however powerful, would have been employed in vain. Within their defiles, on the heights of their mountains, amidſt their marſhes, they might have lurked ſecure from capture by any foreign purſuer. James knew to avail himſelf even of thoſe artifices and ſtratagems in which theſe people themſelves excelled. The chieftains of Sutherland and Caithneſs were allured to repair to their Sovereign's Court and Parliament at Inverneſs, as if it had been ſimply to do them honour and receive their loyal homage, not to puniſh their crimes, that he had come. No ſooner, however, were they within his power at Inverneſs, than he arreſted, and brought them to trial. Some were beheaded, ſome hanged, many diſperſed in cuſtody into different caſtles of the Lowland barons. Others were treated with lenity, and ſent home in honour, to maintain the King's peace among their clans. Angus Dow Mackay, being now old and infirm, and having had the addreſs to recommend himſelf to the King's favour, was ſent away in peace. His ſon Neill, a younger man, in the full vigour of his ſtrength and faculties, appearing more likely to renew the former feuds, was ſent in captivity to the caſtle of

of the Baſs, where he was long to remain a priſoner*.

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Nor were the people of Sutherland and Caithneſs, the only clans, againſt which James found it at this time neceſſary to draw the ſword of juſtice. The Lord of the Iſles, who was alſo, by inheritance from the father of his mother, now earl of Roſs; had, however, rather uſurped this earldom, than obtained any legal enfeoffment of it, under the weak, inefficient regency of the late duke of Albany. Albany had himſelf claimed the ſucceſſion; and had failed to make his claim effectual, ſolely in conſequence of the remoteneſs of Roſs-ſhire, its contiguity to the Weſtern Iſles, and the great local power of the inſular chieftain and his family. James determined to diſpoſſeſs Alexander of the diſputed earldom, and to annex it to the domains of the Crown; either as an eſtate of fieff, which by the failure of the lineal heirs male of its ancient poſſeſſors, devolved upon the ſovereign as the Lord-Paramount; or as a poſſeſſion of right pertaining to the family of Albany, and forfeited with the reſt of their lands and honours. Alexander of the Iſles perſiſted in uſurping the fieff of his grandfather. To ſeize the earldom of Roſs, was one

* Fordun:—Conteſts of the Clans.

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principal end of James's preſent juſticiary progreſs through theſe northern counties. At the approach of his ſovereign, the inſular chieftain was alarmed and confounded; and being allured into his King's preſence, before he had entered into any well concerted ſcheme of open rebellion; ſuffered himſelf to be eaſily perſuaded to ſubmit to James's pleaſure, and either to reſign all his pretenſions to the conteſted earldom, or at leſt to hold it on ſuch conditions as James choſe to dictate. A momentary reconciliation thus took place between the monarch and this proud baron. It was, however, on both ſides, probably inſincere; by Macdonald conſented to, only for the purpoſe of extricating himſelf out of the danger to which he was expoſed at his ſovereign's court; propoſed from the King, merely as a temporary expedient, to conceal his purpoſes till he could aſſemble a force ſufficient to break the ſtrength of that moſt powerful and turbulent of the clans. No ſooner, therefore, had the chieftain returned from the King's preſence to his own domains, than he renewed all his former offences, and uſurped the dominion of Roſsſhire, with even more of impotent tyranny than he had before exerciſed. James, who although he had returned ſouthward from Inverneſs, had not however withdrawn his attention from the affairs of the Highlands, inſtantly muſtered an army of his faithful military vaſſals, and repaired again northward with

purpoſes

purpoſes of ſtern vengeance. Macdonald's army amounted now to no fewer than ten thouſand men: He had burnt Inverneſs, the ſcene of his former humiliation, and was furiouſly advancing to ravage the more ſouthern counties, and to avenge himſelf of all thoſe loyal tribes who had lately at Inverneſs, ſupported the royal authority. At the news of his ſovereign's approach, he again retired. The royal army ſtill advanced. On a moor in Lochaber, the two hoſts encountered each other in battle. At ſight of the royal banner, two powerful tribes, the Clan-Chattan and the Clan-Cameron, deſerting Macdonald, with whom they had come into the field, ſeaſonably took part with the King, and thus eminently contributed to the deciſive victory which he here gained.—Soon after, the Clan-Chattan, in a ſudden fray which happened while they were met together at church, cut off the Clan-Cameron almoſt to a man.—The inſular chief, after the battle in Lochaber, no longer able to make head againſt the King's troops; ſaw his country ſeized in the King's name, and was himſelf hunted about from one lurking-place to another, till he at laſt began to deſpair altogether, even of his perſonal ſafety. In this miſerable plight, he contrived to find his way ſecretly to Edinburgh, to which the King had now returned; there in a garb of the moſt abject ſubmiſſion and extreme diſtreſs, caſt himſelf at the monarch's feet

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on a high holiday, before the altar in the chapel of the abbey of the Holy-Rood; and then humbly implored his ſovereign's mercy, declaring his readineſs to ſubmit to whatever the King might think good to command concerning his life and fortunes. His life was, upon this ſubmiſſion, ſpared; but he was ſent in confinement to the caſtle of Tantallan, there to remain under the cuſtody of Douglas, earl of Angus. His mother too, from whom came all his pretenſions to the earldom of Roſs, was enjoined to retire from worldy affairs, and in the nunnery of I-Columb-kill, to ſpend her laſt days in making her peace with heaven.—But, while this train of negotiation and war with the Lord of the Iſles was lengthened out, and before it could be brought to a termination ſo happy for the King's authority; other feuds were ſtill renewed among others of the northern clans; feuds which did not indeed originate in a direct oppoſition to the royal authority, but which could not be proſecuted otherwiſe than in contempt of it. The Mackays murthering the poſſeſſor of the eſtate of Freſhwick, became obnoxious to the ſovereign's criminal juſtice, on account of this flagrant violation of that public peace which it was his duty to guard. Murray, chieftain of a ſubdiviſion of another clan, was commiſſioned to ſeize the prime offender, Thomas Mackay. Murray, by his promiſes and perſuaſions, won Morgan and Neill, the

the brothers of Thomas, to assist him in seizing the criminal. He was seized and executed at Inverness; and his lands were bestowed upon Murray, by whose loyal exertions he had been brought to justice. Then Murray, to reward his coadjutors, who had betrayed their brother, gave them his own two daughters in marriage; and not without permission from the earl of Sutherland, went to put them in possession of the estate of Angus Dow Mackay; who was odious to the King, was worn out with the infirmities of age, had not his son at hand to fight his battles, and had been already destined to ruin and dispossession by the primary compact between Murray and his two sons-in-law. The bastard son of Angus Dow met the invaders at a place named Drum-ne-coul; and opposing them with all the force of his tribe, and with the most desperate and savage valour; defended his father in a battle which was obstinately prolonged, till few, on either side, were left alive. Old Angus Dow being carried out, when the fight was thus at an end, to view the bloody field, was slain by an arrow from the bow of a survivor of the invaders' party who had lurked behind a bush after all his fellows were slain. The invasion was indeed defeated; but almost all the invaded, as well as the invaders, were thus destroyed: And the bastard-son of Angus Dow, who although severely wounded, outlived the battle, was obliged to flee from the angry

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pursuit

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purſuit of the earl of Sutherland; and ſeek his ſafety in the Weſtern Iſles. The mutual ſlaughter of theſe furious tribes by one another's hands, ſo effectually anſwered the purpoſes of public juſtice; that James did not find it neceſſary to exert his authority upon the ſurviving offenders, otherwiſe than by the ſubordinate miniſtration of his ſheriffs, juſticiaries, and earls*.

1430. Feſtivities at Court, and other events.

James's attention was now elſewhere more agreeably engaged. His own wiſhes, and thoſe of his people, were now happily anſwered by the birth of twin princes, whom his queen bore to him in the month of October, in the year one thouſand four hundred and thirty. The two royal infants were with great pomp baptized, at the monaſtery of the Holy Rood, by the names of Alexander and James; of whom the firſt-born died in infancy, but James ſurvived to reign after his father. At the ceremony aſſiſted Archibald, earl of Douglas, and many others of the moſt eminent barons in the kingdom. Among thoſe gracious acts of royalty by which James on this occaſion ſtrove to gratify his ſubjects, was, the conferring of the honour of knighthood upon a number of noble youths who were the knights and companions in arms of his infant ſons. Among theſe was William the ſon and apparent heir of the earl of Douglas, John the ſon of Simeon Logan

* Fordun:—Major:—Buchanan:—Conflicts of the Clans:—Statiſtical Accounts.

Logan of Reſtalrig, James Edmonſton, the ſon of William Crichton the King's chancellor, with the ſon and heir of William Borthwick of Borthwick. —Yet theſe feſtivities, and this cordial union of the King with his ſubjects, could not remove that mutual jealouſy which the ſeverity of his juſtice, and the vengeance he had exerciſed upon ſo many of the greater barons, with his ambition to exalt the majeſty of the Crown; had excited between him and his nobles. In the year following, he found it neceſſary to put the earl of Douglas and John Kennedy, both his nephews, under arreſt, and to ſend them into confinement in his caſtles. It might be merely jealouſy in the monarch's own breaſt, or the falſe, inſidious ſuggeſtions of ſome of his unfaithful ſervants, that drove James to this meaſure. But, the deciſive vigour and boldneſs with which he was accuſtomed to anticipate riſing conſpiracy and rebellion, had hitherto proved the grand ſecurities of his reign. When his wrath was appeaſed, or when the danger which he ſtrove to prevent by their impriſonment, was over; James liſtened to the interceſſion of his queen and nobles in favour of the impriſoned barons; and at the time of the meeting of his Parliament at Perth in the month of October in the year one thouſand four hundred and thirty-one, ſet at liberty both Douglas and Kennedy, and was fully reconciled to them.—Donald

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nald Balloch, couſin to the Lord of the Iſles, having, in the mean time, excited new diſturbances, and new oppoſition to the royal authority in Roſsſhire; having ſlain Alan earl of Caithneſs, and defeated a troop which this Alan, with Alexander earl of Marre, had conducted againſt him; and having then fled from the monarch's wrath, and taken refuge in Ireland: The King began to ſee, that it would be vain to hope for any permanent compoſure of the diſturbances among the barbarous people of Roſsſhire and the Iſles, otherwiſe than through the intervention of Macdonald whom he had detained in confinement. At the ſame parliament, therefore, he ſet Macdonald alſo at liberty; and reſtoring to him the forfeited earldom of Roſs, as well as his former principality of the Iſles; ſent him to re-eſtabliſh order within his domains, and to cauſe the King's peace to be reſpected by the clans who were attached to Macdonald's cauſe.—The earl of Douglas, in the mean time, called abroad by the neceſſities of his affairs in France, and fearful that James's wrath, when next kindled againſt him, might perhaps prove mortal; ſought permiſſion to go abroad to take poſſeſſion of that Duchy of Touraine which the gratitude of Charles the Seventh of France had formerly beſtowed upon his father. This permiſſion was eaſily granted by James; who although jealous of the power of Douglas, ſeems to have wanted any juſt pretexts

pretexts to cut him off; and was therefore not sorry to see this powerful earl go into a sort of honourable exile, where he could not—either by combination with his fellow-subjects, or even by the respect with which the monarch found it necessary to treat so potent a baron,—overawe the royal authority, or check the execution of any new measures which James might be induced to take for the purpose of enlarging the prerogatives, and augmenting the possessions of the Crown. In the absence of the earl of Douglas himself, and during the reign of such a prince as James, it was impossible that there should not arise many occasions for diminishing that exorbitant jurisdiction, which the earls of Douglas had gradually acquired, for detaching many of the dependents on their house, and for even reducing perhaps their estates within narrower limits*. A. D. 1425 37.

James's attention to the interests of trade; and

The concerns of trade, and the courtesies of kingly correspondence with foreign princes and states, were, in the mean time, not neglected by James. Among the statutes enacted in his frequent parliaments, many had for their object the regulation of the concerns of money, navigation, and commerce. A large Italian vessel had in October, in the year one thousand four hundred and twenty-five, been broken by a tempest in Leith-

* Conflicts of the clans:—Skene's Acts:—Fordun XVI.—Drummond.

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Road, and its ſhattered remains caſt on ſhore at Granton. By this and other ſimilar incidents, the neceſſity was ſuggeſted of a law to regulate the property of ſhipwrecked veſſels and their cargoes: And James took care to have it enacted by his parliament, that the ſhipwrecked veſſels of any nation ſhould be either plundered and appropriated, or ſpared, juſt as the people of that nation were themſelves wont to act, in regard to Scottiſh ſhips wrecked upon their coaſts; for the laws of nations were as yet far from being univerſally aſcertained and obſerved in Europe, in reſpect to the objects of navigation and commerce; and the principle of equal retaliation borrowed from the law of Moſes, through the medium of the canons of the church, had ſtill an extenſive operation in the ſyſtem of the laws of Scotland. Offended with the States of Flanders, James had commanded his Scottiſh merchants to transfer their trade for a time from the harbours of Flanders, to the port of Middelburgh in Zealand. An embaſſy from the Flandrians came to appeaſe his reſentment for the injuries ſuffered by the Scottiſh merchants in their harbours, before the King's return out of England, and to ſolicit his permiſſion for his merchants once more to trade with them as formerly. Their conceſſions and excuſes, and the new privileges they offered to win back the Scottiſh trade, prevailed; and James permitted the renewal of a commercial intercourſe,

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his policy in reſpect to foreign nations.

intercourſe, which promiſed to be beneficial to his ſubjects. For ſome time immediately previous to this new commercial treaty, the Flemings had even granted letters of marque againſt the ſhips of Scotland, and inflicted innumerable miſchiefs upon the Scottiſh trade, which chiefly the reverence entertained for the character of James among foreign nations, now induced them thus gladly to forbear. Since the death of Margaret of Norway, heireſs of the Scottiſh Crown, the intercourſe between Norway and Scotland had been almoſt wholly ſuſpended. The tribute for the Hebudian Iſles, and the remains of thoſe ſums of money which had become due to Eric of Norway, from the inheritance of his wife and daughter, remained ſtill due from Scotland to the Norwegian Crown. To renew, therefore, the ancient intercourſe with Norway, and to fix equitable terms for the payment of the debt, ſuch as might avert any ſudden deſcent from Norway upon the northern or weſtern coaſts of Scotland; James diſpatched thither on an embaſſy, William Crichton his chancellor, and William Fowlis the keeper of his private ſeal, with a ſuitable train of attendants. Theſe ambaſſadors were honourably received at the Norwegian Court, and happily acquitted themſelves ſo well of the buſineſs of their embaſſy, that they obtained a free diſcharge for the arrears of the tribute and other debts, and procured the future payment of the tribute to be

ſettled

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settled at the easy sum of an hundred pounds sterling a year*.

Thus on all hands prosperous, and prevailing over the turbulence of his nobles, even as a man of wisdom and strength might prevail over a rabble; or, as a soldier armed with fire-arms, over a company of miserable savages having nothing with which to annoy him but sharpened sticks; James determined to proceed still farther in resuming the ancient grants of the Crown; and in the year one thousand four hundred and thirty-four, procured a decree of his parliament, by which the ancient forfeiture of the earldom of March was declared to be still in force, and that act of the first duke of Albany was annulled, by which March and his family had been restored to their forfeited possessions. It was natural, that James should still retain some remains of resentment against a family which had occasioned the first mischiefs to his unfortunate elder brother, and had so daringly rebelled against his father. So considerable a castle as that of Dunbar, situate so immediately upon the English frontier, was,—while Berwick and Roxburgh still remained in the hands of the English,—a possession exceedingly desireable to the Crown, and almost too important to be left in the hands of a subject. In the attainder of Albany and his sons, in almost the

Forfeiture of the earldom of Dunbar.

* Fordun :—Lesly :—Drummond :—Skene's Acts.

the whole train of the acts of the legiſlature and the meaſures of the executive government, ever ſince that period; that principle had been received, upon which the earldom of March was now declared to belong immediately to the King. It was enforced by a proceſs regularly inſtituted, and conducted before the parliament, as well by procurators on the part of Dunbar,—as, in oppoſition to them, by the proper officers of the Crown. But, the King had already taken Dunbar himſelf into cuſtody; and had, in the earl's abſence, procured the caſtle to be ſurrendered to Crichton his chancellor, and Hepburn of Hales; who having preſented the King's letters-patent, commanding this ſurrender to thoſe who held the caſtle for Dunbar their abſent lord; were reſpectfully received and obeyed by them, without any intermediate delay for orders from their maſter. Thus James ſaw his Crown once more enriched with fair caſtles and ample domains; and had made himſelf a King indeed, by the recovery of thoſe poſſeſſions which had been alienated by the negligence or rapacity of the family of his uncle. The dukedom of Albany, the earldoms of Fife, Menteith, and Lennox, had been acquired by the puniſhment of the princes executed for treaſon at Stirling: the earldom of Buchan had been legally inherited by him from his couſin the famous conſtable of France, who fell in the battle of Verneuil: that of Marre, too, had lately devolved

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devolved to the Crown, in conſequence of the death of its earl, a grandſon of Robert the Second, and one of the diſtinguiſhed warriours of the age. The earldom of Strathern alſo had been perhaps ſomewhat unjuſtly ſeized by James upon the death of his uncle David, its earl, without other heirs than a daughter, who was upon ſome pretext to be excluded from the inheritance: To all theſe poſſeſſions, James now added the earldom of March; few new grants were beſtowed away out of theſe acquiſitions: Scarcely ever before therefore had the domains of the Crown been at any one time ſo extenſive. Yet, although Dunbar was thus deprived of the ancient poſſeſſion of his family; James ſoon after conferred on him, inſtead of it, the earldom of Buchan; and granted, beſides, an annuity to be paid to him out of the revenues of the earldom of March. Of the great barons there remained now only the earl of Douglas, the moſt powerful of them all, whoſe greatneſs could prove formidable to the Crown, or the largeneſs of whoſe poſſeſſions could attract the avarice of the monarch. It may be, that James waited only a ſeaſonable opportunity to level the pride of the houſe of Douglas, as that of the family of Albany had been already overthrown*.

Margaret the daughter of James, who was already betrothed in marriage to Lewis, the ſon and

* Fordun:—Buchanan:—Skene's Acts, &c.

and heir of the French King, was now in the thirteenth year of her age. No events had intervened which might have diſpoſed either James or Charles to recede from their former engagement for the marriage of their children: the alliance of the two nations, the Scots and the French, was ſtill reciprocally neceſſary to each of them as a ſupport againſt the enmity and the power of the Engliſh. The inextinguiſhable hatred of the Scots to a people who were ſo much the foes of France, was to Margaret a rich dowry to recommend her to an huſband, whoſe father the Engliſh ſtill ſtrove to dethrone. An embaſſy from France, therefore, having come to demand his bride to the young dauphin, was courteouſly received, and gratified with immediate preparations for ſending away the princeſs, in compliance with their requeſt. So odious was ſtill taxation to all ranks of his ſubjects, that James in vain endeavoured to levy even that feudal tax which, by the fundamental principles of the law of fieffs, was payable by all vaſſals to their ſuperior lord, for the purpoſe of making up a ſuitable dowry upon the marriage of his eldeſt daughter. Some ſcanty ſums were obtained; but theſe ſo wholly inadequate to the demands and neceſſities of the monarch, and, at the ſame time, paid with ſuch reluctance and diſcontent; that James, whether indignantly or graciouſly, ordered all that had been thus levied, to be reſtored to the contributors.

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Marriage of James's daughter to the dauphin of France.

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butors. From the barons, however, and prelates, he courteouſly requeſted a different contribution under the name of a *benevolence*, *loan*, or *free gift*, which, in this way, they more chearfully and liberally gave. A fleet was then fitted out under the command of the biſhop of Brechin, and the earl of Orkney. A ſplendid company of knights and ladies prepared to eſcort the young princeſs to the court of her father-in-law; and in the ſpring of the year one thouſand four hundred and thirty-ſix, Margaret, with this gay train of attendants, ſailed for France. The Engliſh aware of this nuptial voyage, had hopes of intercepting Margaret, as her father had been intercepted before. An Engliſh fleet was ſent to cruize upon the courſe by which it was probable that the Scots would ſail. They vigilantly watched the approach of the Scots. But, while the expected prize did not yet appear, a rich fleet of Flemiſh merchant-veſſels, laden with wines from Rochelle, ſuddenly coming in view, attracted the chace of the Engliſh, and became their prey. At the very inſtant when the Engliſh were in purſuit of the Flemings, the Scottiſh fleet came up nearly in the ſame courſe, in which their enemies had at firſt waited to intercept them; and thus fortunately eſcaping, conveyed their young princeſs and her train in ſafety into the harbour of Rochelle. She was there fondly and honourably received with all her attendants. The marriage

riage was ſoon after conſummated and then the greater part of thoſe who had accompanied her to France returned home, with the news of their happy voyage, and of the celebration of the nuptials*. A. D. 1435-37.

But, this now completed alliance with the royal family of France, and the hoſtility with which the Engliſh had endeavoured to intercept his daughter on her paſſage to that country, left it no longer poſſible for James not to renew the ancient warfare with England. While the Engliſh, under the command of the earl of Northumberland, began to make plundering incurſions into the border-territories of Scotland; the Scots, on the other hand, at the order of their King, muſtered a force in their ſouth-eaſt counties, to invade, or to repulſe invaſion. William, earl of Angus, with Hepburn of Hailes, Elphinſton of Elphinſton, and Ramſay of Dalhouſie, were the leaders of the Scottiſh force, and were followed by a body of about four thouſand gallant warriours variouſly armed. At Pipperden, among the baſes of the Cheviot-hills, contiguous to the ſmall brook of Brammiſh, the two armies met in battle. A ſharp conteſt there enſued, but ended favourably for the Scots, without any conſiderable loſs upon their ſide. Of the Engliſh, about five hundred were made priſoners; few of note, were ſlain. The conſequences of this ren- Battle of Piperden.

* Leſly:—Fordun:—Drummond, &c.

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counter could not be either remarkably useful to the Scots, or hurtful to the English: And yet, so many prisoners taken, among whom there could not but be several men of rank and wealth, were a rich booty which would bring considerable sums of ransom: and it was somewhat to have gained in the first hostilities, an advantage which might encourage the Scottish soldiers to hope for equal good fortune in the future prosecution of the war. Either musquets or larger artillery, are *said* to have been employed with considerable effect in this engagement*.

Siege of Roxburgh-Castle.

To prosecute the hostilities thus commenced with that vigorous and persevering activity which distinguished his character; James soon after assembled his military vassals; for he had not yet been able to form even a single troop of guards, or to maintain any mercenary soldiers; and went on an expedition to recover Roxburgh-castle. This castle, one of the strongest places possessed by the English on the Scottish frontier, had remained in their hands ever since the æra of the first successes of Edward Balliol; and its recovery would therefore be eminently glorious to James's reign. Sir Ralph Grey was the English commander in the place; he had under his authority, a strong garrison; and there was no deficiency of the stores requisite

* Lesly, Lib. VII. P. 265.:—Drummond's works, Edin. 1711.—P. 13. &c.

quiſite for ſuſtaining even a tedious ſiege. James's army was numerous, and well-appointed; the exerciſes in archery which he had cauſed his parliaments to preſcribe, had prepared them to contend againſt the Engliſh bowmen with better hopes than they could before entertain: he had procured particularly one large piece of artillery from Flanders, of a remarkable ſize, and better fitted than the ancient engines to make an impreſſion upon beſieged walls. When the garriſon refuſed to ſurrender at the ſummons of the Scots, the place was regularly inveſted; and every effort was made to open breaches in the walls, and to reduce the beſieged to the neceſſity of ſubmiſſion. But, in the mean while, James began to find himſelf all at once, unſafe, in the midſt of ſo many barons, whoſe pride he had checked, whoſe crimes he had puniſhed, whoſe licence he had reſtrained, whom he had ſtripped of various poſſeſſions unjuſtly acquired. Divided and ſcattered over the kingdom, each at his own caſtle, and upon his own lands, they could not well make themſelves formidable to their ſovereign who might have, at all times about him, a force more conſiderable, than any one of them could eaſily muſter. Aſſembled together, and having their King in the midſt of them, they were more powerful againſt him: The knights and barons immediately connected with him, and enjoying the confidence of his councils, could ſcarcely make more

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more than an inconſiderable part of the whole aſſemblage of his military vaſſals: The reſt might now eaſily aſſociate, conſpire, and deſtroy their ſovereign, or make him their priſoner, and uſurp his power. At his frequent parliaments, there had been occaſionally a numerous attendance of his vaſſals; but at thoſe times, the armed attendants of the greater part of thoſe vaſſals, were comparatively few; of the inferior people, but a ſmall number were permitted to be preſent; and the force of thoſe who were devoted to the immediate ſervice of the King, was always eaſily ſuperior to that of all the reſt, and ſufficient to overawe and reſtrain them. Here every thing was different. Beſides, every ſucceeding year of James's reign, doing ſomewhat more for the eſtabliſhment of civil order; withdrawing from his barons ſome juriſdiction which they had abuſed, or ſome poſſeſſion which they had violently or fraudulently uſurped; introducing ſtill new regulations, more civilized and refined in their nature and tendency, than that their ſcope could be fully comprehended by thoſe who were commanded to obey them; graſping ſtill ſomething more of wealth and of authority, to aggrandize the Crown; and perhaps rendering James's temper ſtill more gloomy and ſevere, and his ſway ſtill more arbitrary and haughty than before: Year after year had thus contributed, notwithſtanding all his virtues, and all the patriotiſm of his government,

to

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James ſuddenly forſakes the ſiege of Roxburgh.

to eſtrange from him ſtill more and more the minds of his nobles, and to make them wait with impatience for the ſeaſon of war, when they might find a time to avenge all their real or imaginary wrongs. Whether then it were merely the gloomy jealouſy of James's temper alarmed at ſeeing himſelf ſurrounded by ſo many men, of whom a number might poſſibly be his ſecret enemies; whether his barons became openly refractory and inſolent, or aſſociated in ſecret cabals; whether he received information of the exiſtence of ſome conſpiracy againſt his life, which he could not defeat by any bold exertion of his power; or whether the military ſtores which he had provided were entirely conſumed, and he could not longer detain ſo numerous an hoſt in actual ſervice in the field: Certain it is, that after having for about fifteen days beſieged the caſtle of Roxburgh; while there was fair reaſon to expect, that it might within no long time, be compelled to ſurrender to his arms; James ſuddenly diſbanded his forces, abandoned the ſiege of Roxburgh, and returned in haſte to his favourite ſeat at the Carthuſian monaſtery which he had lately erected at Perth. If his barons had indeed concerted any ſcheme for ſeizing his perſon, and compelling him to mould the meaſures of his government to their wiſhes; he might thus ſeem to himſelf to have eſcaped out of their hands, and to have gained time for planning new puniſhments, and for preparing

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paring new meaſures of reſtraint and revenge to be carried into execution, aſſoon as a new parliament could prudently be called*.

He is treaſonably murdered at Perth.

But, James's precautions were to prove vain: He was deſtined to fall by the hand of conſpiracy. He had not long returned to Perth, when his uncle Walter, earl of Athole, Robert Graham tutor to a youth of the ſame family, who had pretenſions to the earldom of Strathern, and Robert Stewart the grandſon of Athole, aſſuming ſome meaner accomplices to aid their guilty purpoſe, reſolved to rid themſelves of a ſovereign whoſe longer life might prove fatal to their ſafety, and by whoſe death the old earl of Athole particularly might probably make his way to the higheſt pre-eminence of power. Perhaps this conſpiracy had been firſt contrived during the late fruitleſs expedition againſt Roxburgh; perhaps it was the effect of reſolution now emboldened, or of fear rendered deſperate in conſequence of thoſe circumſtances which had attended the abandoning of that enterprize. It was, unhappily, but too ſucceſsful. Athole had ever been the favourite uncle of James; young Robert Stewart, as his kinſman, and a youth of no unpromiſing talents, was brought up with the moſt friendly kindneſs about his court; even Graham was

* Fordun, XVI:—Boeth. XV:—J. Major:—Leſl:—Lindſay:—Drummond.

was not held at a diſtance, as a perſon injured or hated, but was truſted and employed as a faithful ſervant. In vain, therefore, had James diſmiſſed his army: The miſchief clung too cloſely to his boſom, to be thus eaſily ſhaken off. On the night of the twenty-firſt of February, in the year one thouſand four hundred and thirty-ſeven, young Stewart and Graham, with ſeven of their accomplices, burſting into their ſovereign's bed-chamber, cruelly aſſaſſinated him with many wounds,—while he ſat at ſupper; wounding alſo his queen who ſtrove to protect his life, by expoſing her own body to their daggers; and having firſt ſlain Walter Straiton, a domeſtic ſervant, then in waiting upon him, who was the firſt to oppoſe their entrance into the chamber. None were near to bring timely aid to ſave their ſovereign's life: None, except Sir David Dunbar who haſtened from the town, came to intercept the retreat of the murtherers. Snatching the ſword from the bleeding body of his prince, Dunbar indignantly purſued the aſſaſſins; but in vain; they wounded him ſeverely in the arm, and eſcaped from his purſuit*.

But they could not long eſcape the vengeance of their country. After his death, it appeared how dear James had rendered himſelf to all his ſubjects, notwith-

* Eoſdem.

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notwithſtanding the wholeſome rigour of his government, and the means which he ſo aſſiduouſly employed for the aggrandizement of the majeſty of the Crown. From all quarters, the barons, prelates, and commonalty of the kingdom, eagerly repaired to Perth, at the firſt news of the treaſonable aſſaſſination by which their ſovereign had there periſhed. With all the activity that uncontroulable rage could prompt, they inſtantly purſued, ſeized, and brought the murtherers to juſtice. Their condemnation was inſtant and furious. New and unheard-of puniſhments were deviſed, in order to render the ſufferings of their execution commenſurate with the heinous atrocity of their guilt. All the ſuperior criminality of Athole was revealed: Some witch or wizard had anciently foretold to him, that he ſhould, one day, wear a crown; having his guilty ambition thus goaded on, he had contrived various miſchievous machinations againſt the other branches of his own family; with him had originated the idea of the conſpiracy which had cut ſhort the life of James: Graham, young Stewart, and their other accomplices, were but puppets moved by his hands. Athole, thus atrociouſly criminal, with his accomplices, were carried to Edinburgh, to undergo the deſtined puniſhment. Athole's ſufferings were, with ſomething of that horrible refinement in cruelty which the ſavages of America have been ſaid to exerciſe upon their victims taken

The aſſaſſins puniſhed.

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in war,—protracted for the ſpace of three ſucceſſive days. On the firſt of theſe days, he was ſtripped naked, and dragged ſeveral times backward and forward through the town; after which, in deriſory fulfilment of the witch's prophecy in which he truſted, he had a crown of red-hot iron publicly ſet upon his head. On the ſecond day he was dragged at the horſes' tails through the different ſtreets of the town. On the third day,—for he was not yet dead,—his bowels were torn out from his living body, and burnt before his eyes; after which he was beheaded, his corpſe yet warm and quivering with life, was quartered, and the parts were ſent to be expoſed in the four principal towns of the kingdom. Robert Stewart, who had been merely the tool of his grandfather's villainy, was only hanged and quartered. Robert Graham who had been the actual perpetrator of the parricidal deed, was ſtill more cruelly tortured even than Athole. Several of the meaner accomplices were only hanged, without being ſubjected to lengthened torments. And even the innocent relations of the aſſaſſins did not eſcape ſuffering for their crime*.

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Character of James.

It is almoſt needleſs to ſketch the character of James, after having thus related the tranſactions of his reign. All the faculties of his ſoul, all the paſſions

* Leſly:—Drummond, &c.

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paſſions of his heart, were exerted in all their energy in the adminiſtration of his government. Among the Scottiſh nobles, he appeared as a man among children; as a perſon, adorned with all the accompliſhments of civilization, among a horde of ſavages; as ſome angel ſent from heaven, on an errand of chaſtiſements among the erring, refractory, aſtoniſhed mortals whom he comes to puniſh. The two moſt ſtriking qualities of his underſtanding appear to have been, that *keen, perſpicacious diſcernment* of mind, by which he could correctly diſtinguiſh his own true intereſts, as a man, and as a monarch,—together with that *enlarged comprehenſion of intellect*, which enabled him to act upon an extenſive and ſkilfully compacted ſyſtem of policy, within which all his views and meaſures were embraced, and to the accompliſhment of which all the acts of his government conſtantly referred. Other princes and ſtateſmen have been content to glide down the current of events, without endeavouring to regulate by their own exertions the courſe of the bark in which they ſailed,—or uſing only occaſional and commonly fruitleſs efforts, here to avoid a ſhallow, or there to recede from the headlong violence of the ſtreams: James acted as a maſter mariner and pilot; by the ſkilful management of the ſails, the oars, the helm—domineering over all external circumſtances, making winds and ſeas obey his voice, holding his unvaried

ed courſe, in ſpite of every obſtacle, to the diſtant ſhore for which he has ſet ſail. A *third* ſtriking feature in the character of James's mind, was partly the reſult of thoſe qualities of his underſtanding which have been here ſpecified, and in part depended upon the habitual tone and temperament of his paſſions. This was that bold, deciſive promptitude of execution with which he uſually carried all his meaſures into effect; anticipating the enterprizes, the deſigns, the very ſuſpicions of his enemies; being bold without raſhneſs, and paſſionate without folly. It does not certainly appear that he acted, from the firſt, with a fully concerted purpoſe of altering the relative weights of the ariſtocracy, and of the Crown, in the conſtitution of the Scottiſh government. It is more probable *that* he ſought firſt to provide a ſuitable revenue for the ſupport of his dignity; then to puniſh the family of his uncle for the ills which they had wrought to his father, his brother, and himſelf;—then to recover poſſeſſions which ſeemed to him to have been unfairly wreſted, or prodigally laviſhed away from the Crown; then to ſuppreſs all civil diſorders among his ſubjects by the vigorous adminiſtration of juſtice, for which there appeared to be no other means except the exaltation of the influence of the Crown, and the diminiſhing of the ſtrength of every factious baron;—*and that* in the courſe of his execution of this ſyſtem of meaſures, his

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his conſciouſneſs of the integrity and wiſdom of his purpoſes, made him ſtill more and more arbitrary in his commands; while the refractory turbulence, and miſchievous licence of his ſubjects provoked him to more rigorous ſeverity of puniſhment, and of vengeance; and habitual ſuſpicions of the wicked machinations to which the virtue and wiſdom of his adminiſtration, expoſed his life, might gradually ſour his temper to ſomething of tyrannical gloom and harſhneſs. James had ſeen the wiſe and heroic Henry the Fifth, ſhoot, as it were, with the tranſient blaze of a meteor, through the horizon of Engliſh empire: And his young heart had even then, probably, been inflamed with the ambition of rivalling a character ſo ſplendid. In England, James had ſeen the feudal ſyſtem declined much nearer to its fall, than it as yet was in Scotland; and new arts, new manners, new policy, new ſcience, beginning to ariſe upon its ruins: and hence thoſe plans of taxation which his kingdom could not yet bear, and thoſe attentions to commerce, by which he ſignally improved the ſtate of trade and of the mechanical arts among his ſubjects. That conſpiracy which at laſt cut ſhort his life, muſt have been conducted with wonderful art and ſecrecy; otherwiſe James's wonted vigilance, diſcernment, and anticipating promptitude, would undoubtedly have prevented it. James's life was unſtained by any crime, either of a lighter or a more

more atrocious nature. Jane of Beaufort, his queen, was the only mother of his children, the only miſtreſs of his life. His hands were ſtained by the blood of no friend ſlain in ſudden anger. His plighted faith was ſtill religiouſly obſerved. His reſentments were wonderfully tempered between the emotions of nature, and the ſternneſs of wiſe policy; moderate, as if his breaſt had not felt what his voice and actions indicated; yet relenting as if it had been mere unreflecting feeling, from which they ſprang. Even while his frugality withheld his hand from laviſhing upon the church the revenues of the Crown, and excited him to lament that his predeceſſors had alienated ſo much to pious uſes; yet his own piety moved him to introduce into his kingdom the Carthuſian friars, a new order, at this time eminent for the purity and aſcetic auſterity of their lives; and to found for them a ſtately monaſtery at the town of Perth. In all the elegant arts of peace, James was one of the moſt accompliſhed perſons of his age. In muſic, he was a compoſer diſtinguiſhed alike for ſkill and genius; and remarkable for reducing to the laws of regular melody, and expreſſing by notation, thoſe wild airs of the ballads and minſtrel ſongſters of his country, which had originated partly from native wood-notes wild of the peaſantry, and in part from the miſerable imitation of the muſic of the ſervices of religion. He was wont to play on

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a great variety of musical instruments; on the harp in particular, with unrivalled excellence. He was the author of several beautiful pieces of amatory and humorous poetry, in the vernacular language. In throwing the hammer or the stone, in shooting a bow, or darting a javelin, he had scarcely an equal. His form was rather below the middle stature in height; but remarkably robust, with large bones, broad shoulders, a lank belly, and well knit joints. In wrestling, few could match him; he was an indefatigable walker; an intrepid and agile rider. In his hours of amusement at his Court, he would sometimes retire to the literary studies of reading, writing, and composition; sometimes he would employ himself in drawing and painting; at other times, the orchard, the garden, the plantation of trees and herbs, and the marking of the progress of vegetation, offered an interesting gratification to his manly, ingenious, and cultivated mind. He observed the corrupted morals, particularly of the regular clergy, and laboured to reform them. His hours were carefully portioned out; and every part of the day had usually with him its stated employment. Had he survived to prosecute the war with England, it is probable that he might have shewn himself as great in the arts of war, as in those of peace. It was never more remarkably evinced than in the instance of the grief with which James's subjects lamented his death, and of the insatiable cruelty

cruelty and fury with which they avenged his murther, that the wholeſome ſeverities inflicted by virtue and wiſdom, never to fail to endear that excellence by which they are exerciſed, to the perſons who for their own welfare ſuffer under the chaſtiſement—much more entirely, and much more deeply, than all the light compliances of folly, flattery, and vice. Even thoſe who murmured at the rigour of his government, could not help feeling its beneficial tendency; and when by his ſudden and violent death, they were awakened to reflect upon the excellence and awe-commanding dignity of his character; they ſeem to have been univerſally aſtoniſhed at the very idea of the poſibility of traitorous hands being lifted up againſt the life of ſo great and good a man.

James left by his wife, the daughter of the Engliſh duke of Somerſet, an only ſon, James, who ſucceeded him on the throne; and beſides the dauphineſs of France, four other daughters.

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Chapter II.

Reign of James the Second.

A. D. 1437. Accession of James the Second.

James, the only ſurviving ſon of the deceaſed King; a boy, as yet, only in the ſeventh year of his age; was ſolemnly crowned King of Scotland in the chapel belonging to the monaſtery of the Holy-Rood, at Edinburgh, on the twenty-fifth day of March, in the year one thouſand four hundred and thirty-ſeven. The puerile years of the young King were unfit for the adminiſtration of the government: but except thoſe ſmaller vaſſals who had lived as immediately upon the King's proper domains, and, in his conſtant ſervice, as the ſubordinate vaſſals of the great barons lived upon their domains, and in their ſervice; there were none ſo much intereſted in the welfare of the royal family, or ſo perfectly acquainted with the ſyſtem of adminiſtration which James had eſtabliſhed, as to deſerve that the care of the family of their late ſovereign, or the conduct of the government during the minority of his ſon, ſhould be by the nation intruſted to them. In the awakened ardour of their preſent loyalty, and in their reverence for every meaſure which their monarch had purſued,

and for every faithful ſervant whom he had employed; the convention of the eſtates were therefore induced to commit the regency of the kingdom to Sir Alexander Livingſton of Calendar; while the tuition of the young monarch was left to Sir William Crichton of Crichton, who was ſtill continued in the office of chancellor, which he had with great reputation held, during the reign of James the Firſt*.

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Condition of Scotland in reſpect to foreign nations.

Thus far all was harmony among the barons. All theſe their firſt meaſures were dictated by an ardour of indignant loyalty which brooked no diſcordancy of ſentiments or opinion. If the government of a minority could have been, in this age, ſtable, or vigorouſly efficient, and proſperous; that of young James, as it ſhould ſeem, might have been ſo. England, diſtracted by the evils of a contemporary minority, and ſtruggling hard to retain continental dominions which the better genius of France, was now ſucceſsfully tearing from her graſp; could not retaliate thoſe evils which the Scots had ſtriven to inflict upon her, by the ſiege of Roxburgh-caſtle. France, content with the levies of ſoldiers which were, from time to time, obtained, out of Scotland, would not now urge the Scots to the farther proſecution of war at home, againſt the Engliſh. The claims of the Norwegians

* Lindſay of Pitſcottie:—Supplement to Fordun, &c.

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wegians had been allowed, and their friendſhip conciliated by an honourable embaſſy; ſo that no invaſion from the ports of Norway was now to be feared. From Rome, no ſentence of commination nor of actual excommunication, hung like a pitchy cloud big with thunder, over the heads of the Scots. All abroad was peace to the Scots. Internal harmony, a beneficent and vigorous, internal government, was all that they had preſently to care for. For their domeſtic unanimity it had perhaps been better, if a tempeſt from abroad had already lowered; and if all the miſchiefs of domeſtic invaſion, or the waſteful folly of wild, foreign, military enterprizes had been renewed*.

Licentious diſturbances.

Of the new reign, the firſt acts were naturally acts of grace. Many of thoſe turbulent barons, and reſtleſs chieftains of clans whom the late King had detained in confinement, were now ſet at liberty. Neill Mackay, the ſon of Angus Dow, now diſmiſſed from the Baſs, repaired eagerly home, to take poſſeſſion of his father's eſtate, and to renew thoſe feuds and depredations in which he had ſo turbulently diſtinguiſhed his early youth. Archibald Douglas no ſooner heard the news of the death of a ſovereign whom he had reverenced, feared, and hated, than he returned home from France, to enjoy, as he hoped, the firſt place among

* Eoſdem.

among the Scottiſh nobles, and either to aſſume the direction of the government, or to check, overawe, and enfeeble it in all its operations. Throughout the kingdom, a thouſand agents of miſchief were now of a ſudden let looſe, a thouſand ſprings of diſorder were broken up; that licence and miſrule which had prevailed during the regency of the family of Albany, began to be renewed; the reins of government were now no longer in the hands of that prince of whom treaſon had robbed the throne; all ſeemed as if it had been a multitude of war-horſes without riders, driven into the thickeſt fury of battle. Macdonald, too, Earl of Roſs, and Lord of the Iſles, who ſince his liberation from confinement, had paid an unwilling obedience to his ſovereign's authority; no ſooner knew that James the Firſt was no more, than he began to exerciſe that ſupreme power, ſcornful of all controul, which had been anciently claimed and enjoyed by ſome of his predeceſſors. Except upon the immediate domains of the Crown; the King's peace was ſoon hardly any where reſpected, his officers received with ſubmiſſion, or the laws duely reverenced.* A. D. 1437-60.

Amidst theſe circumſtances, when the moſt cordial union of intereſts and of counſels, was obviouſly requiſite to enable the governor and the chancellor Factions.

* Leſly:—Lindſay:—Conflicts of the clans.

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chancellor to maintain the royal authority in any thing like due vigour, and to guard the poſſeſſions and rights of the Crown; theſe two men, otherwiſe not ill qualified for their reſpective offices, were, on the contrary, divided between themſelves, and hoſtile to one another almoſt as if they had been the miniſters of two rival kings. While Crichton, with the young monarch under his care, fixed himſelf at the Caſtle of Edinburgh; Livingſton occupied, as the ſeat of his adminiſtration, the caſtle of Stirling. Inſtead of exerciſing each the functions of his office, without intermeddling in the duties, or graſping at the powers of the other; they rivalled one another in the aſſumption of equal powers in the ſame things, and in pretending to exerciſe almoſt all the ſame functions. Among the inferior vaſſals of the Crown, each had ſoon his partizans, who, while they obeyed the authority of one of the two, and favoured his intereſts; ſcorned, and thwarted, with the utmoſt zeal, whatever acts of majeſty were adminiſtered by the other. The greater nobility contemned and ſlighted both alike. United, they could hardly have equalled the authority of a Douglas or a Macdonald; divided, they were weak and contemptible before theſe powerful earls. Crichton, however, who had been long the confidential miniſter of all the meaſures of the late King, and who had now the cuſtody of his young maſter's perſon, and the care of

of his education; was by theſe advantages enabled to outrival the power of Livingſton; and had it not been for the benefit which the authority of the latter derived from the favour of the queen, might ſoon perhaps have left him nothing of a governor, but the empty name*.

Progreſs of the factions.

The queen-mother, however, friendly rather to the intereſts of the governor, and ſecretly jealous of the authority which ſuch a man as Crichton acquired, by having the cuſtody of the perſon of her ſon; ſoon made herſelf the agent in an intrigue to transfer young James from Edinburgh to Stirling,—from the tuition of Crichton to her own, and that of Livingſton. For the accompliſhment of this purpoſe, ſhe ſuddenly repaired to Edinburgh, on a viſit, as ſhe pretended, purely of maternal kindneſs to her ſon. By the chancellor ſhe was reſpectfully received, and courteouſly entertained; for it was ſtill more honourable and important for him to have at Edinburgh, and in his intereſts, both the young King and the queen-mother, than if it had been the king alone. But, while Crichton was pleaſing himſelf, that he had won her from favouring the power of his rival; ſhe, in the mean time, ſo gained upon the affections of her child; that the royal boy agreed to accompany her to Stirling; and with a ſecrecy, of which boys at

* Lindſay:—Buchanan, &c.

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at his years are rarely capable, to conceal her counsel, till they might find a fit opportunity of making their escape. Jane, upon this, pretending that she was to fulfill a vow, by a pilgrimage to the *White-Kirk* of Brechin, in entering on her way to which, she must sail across the Frith of Forth; obtained unsuspecting permission from the chancellor, to convey to Leith, some trunks containing clothes and other necessaries for her journey. A correspondence with Livingston at Stirling, warned him of the ripening success of her enterprize, and of the steps to be taken by him in order to forward its accomplishment. Into one of the trunks which seemed to convey only clothes or other stores, young James willingly crept, at his mother's persuasion. Thus concealed, he was carried from the castle with his mother, conducted to Leith, there led on board a vessel which Livingston had sent, and had proceeded half-way up the Frith to Stirling before Crichton was at all aware or suspicious of his flight. To Crichton, it must have been scarcely less mortifying to find himself thus outwitted by a woman, after all his experience in the arts of policy and the practice of courts, than to be thus suddenly robbed of the custody of his sovereign's person, the grand source of his power*.

Livingston

* Lindsay:—Lesly:—Drummond.

Livingston was eagerly ready to receive the queen-mother and her ſon from the voyage which they made, with fearful ſpeed, up the Forth. The patriotiſm, the genius, the maternal affection of the queen, were extolled with the tendereſt praiſes: The infant king was careſſed and flattered with the promiſe of uſage infinitely kinder, and more agreeable to his puerile humours, than he had received at Edinburgh: a parliamentary aſſembly of the adherents to Livingſton was haſtily called; and an act was tumultuouſly paſſed, authoriſing the governor to proceed in arms againſt rebels,—a denomination for Crichton and thoſe who remained with him,—holding out caſtles or fortalices againſt the parliament, the governor, and the King. The queen, with an ardour, ſuch as is, for a ſhort time, natural to women in affairs in which they are heartily engaged; furniſhed proviſions from her own granaries and ſtores for the uſe of the expedition againſt Crichton, who was thus to be proſecuted as a rebel. Crichton, unable to withſtand, alone, the coming ſtorm, and not knowing how to avert it, bethought him of aſking protection and ſupport from the earl of Douglas. He aſked in vain. Douglas, now, above compariſon, the moſt powerful, the moſt opulent, and in all reſpects the firſt man in the kingdom, ſcorned Livingſton and Crichton alike; and lording it without controul in the ſouthern and ſouth-weſt counties, left theſe

A. D. 1437-60. Advantage obtained by Livingſton.

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rulers to annihilate all power before him, by preying upon, and waſting one another. Diſappointed of all ſupport from Douglas, and already inveſted in the caſtle of Edinburgh by the governor's army, Crichton came immediately to the reſolution of ſurrendering the caſtle, and making his peace with his—for this time more fortunate rival. Crichton knew both Livingſton's character and his own talents; and had therefore hopes of recovering by the mere aſcendency of his perſonal abilities over thoſe of Livingſton, all the advantages of which the queen-mother's intrigues had bereft him. At a firſt interview ſolicited by Crichton for the purpoſe of ſettling the terms upon which he ſhould capitulate; this artful politician contrived to divert all the anger of his adverſary from himſelf, againſt the earl of Douglas; and to draw Livingſton into ſuch new union with himſelf, that for the eaſy price of merely formal ſurrender and ſubmiſſion, all that Crichton had before enjoyed, of honour or of authority, was reſtored to him, and Livingſton was perſuaded to repoſe for ſome time at leſt, an implicit confidence in his counſels. Thus united, they ſeemed likely ſoon to reſtore the royal authority to much of its former energy; and the ſtate was likely to be a gainer by this progreſs and termination of their quarrels*.

Artful policy of Crichton.

Already

* Leſly:—Lindſay:—J. Major:—Drummond.

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Diſorders in the court and kingdom.

Already had innumerable miſchiefs been inflicted, throughout the country, by the diſorderly upon the peaceable, or by the diſorderly upon one another, in thoſe endleſs feuds to which their ſavage manners and long trains of mutual injuries continually prompted them, and which there was no ſtrength in the government to reſtrain, while its miniſters were divided againſt themſelves. In proſecution of an ancient feud, Boyd of Kilmarnock aſſaſſinated Allan Stewart of Darnley. The aſſaſſination was followed even by open war between the two parties; and in an obſtinately fought battle, in which the Stewarts ſcarcely prevailed, Boyd was ſlain with many of his followers, by Alexander the brother of the murthered Alan Stewart. In the north, the men of Roſs, Caithneſs, and Sutherland, waſted one another's territories with fire and ſword, and fought in open battle,—and cut one another off by ſecret treachery; ſo as to ſpread the moſt horrible devaſtation and havock throughout all theſe counties. Archibald, earl of Douglas, was,—not unfortunately for the adminiſtrators of the royal authority,—cut off by an inflammatory fever, at Reſtalrig, in the year one thouſand four hundred and thirty-nine: But, his ſon William, a youth of fourteen years of age, ſucceeding to the earldom; was,—if more raſhly and imprudently, yet ſo much more wantonly and haughtily, as to

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be more troubleſome to the miniſters,—ſcornful of the royal power, and ſo adverſe to ſocial order, as to let his vaſſals looſe to prey like thieves, robbers, or inveterate foes, upon all their neighbours. The queen-mother, too, marrying a young knight, the brother of the lord of Lorne, ſought to raiſe this huſband of her widowhood, to an authority in the ſtate for which he was unfit, and which Livingſton would not ſuffer him to aſſume: And hence originated diſſenſion between the queen and the governor; the impriſonment of her huſband and his brother; and on her part, a new intrigue to ſnatch her ſon out of the hands of the governor, and to deliver him once more into the cuſtody of Crichton. The Macleods, in the mean time, while the King's juſticiaries came not about with a force ſufficient to teach them ſubmiſſion to the laws,—deſcended from the extremities of the weſtern Highlands, in an expedition of rapine or revenge, upon the confines of Lennox or Dumbartonſhire; and in a great conflict on the borders of Lochlomond, overthrew Colquhoun of Luſs, with the ſtrength of his clan and of the county; and thus victorious, laid all thoſe diſtricts waſte with fire and ſword, with every act of unſparing rapine, and every crime of wanton cruelty that ſavages could deviſe or perpetrate*.

Crichton

* Eoſdem.

Crichton again weary of guiding the regent's counſels merely by more profound artifices and ſuperior wiſdom; or having perhaps already loſt that hold on the regent's mind which he had in the firſt mutual ardour of their reconciliation poſſeſſed; lent a willing ear to the ſuggeſtions which the queen-mother propoſed for reſtoring to him the pre-eminency of power, by putting the perſon of the King once more into his hand; or was perhaps himſelf the firſt prompter of the queen's new devices againſt Livingſton. On a dark night, Crichton with a ſelect party of his friends, departed ſecretly from Edinburgh towards Stirling. The queen ſtill retaining all her former influence over the mind of her ſon, had already perſuaded him to endure with impatience that ſort of honourable confinement in which he was detained by the governor; and encouraged him to ſeek the firſt ſeaſonable opportunity of making his eſcape to Crichton. Whether it were by accident, or in concert, the King, on that very morning, rode out to hunt with a ſlender company of attendants; and ere theſe could be aware, that danger was nigh, they were all in the midſt of Crichton's party. Crichton ſeizing his ſovereign's horſe by the bridle, invited him to come with him. The King ſmiling, refuſed not the invitation. Thoſe who had attended him from the caſtle, would, however, have made reſiſtance; but young Livingſton, the governor's eldeſt

James carried away by Crichton from the cuſtody of Livingſton.

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eldeſt ſon, reſtrained them; ſaying, that againſt ſuch odds, reſiſtance was vain, and the very attempt might endanger the perſonal ſafety of the King. Crichton and his troop, therefore, eſcorted their young ſovereign, in great joy, towards Edinburgh, and on the way, were joined by ſeveral thouſands of armed men; whom Crichton had ſummoned—to await the ſucceſs of his expedition between Linlithgow and Edinburgh,—and when he ſhould have gained poſſeſſion of the King's perſon, then to join and ſtrengthen his party againſt purſuit from Stirling-Caſtle. Thus attended, Crichton with his young ſovereign ſoon reached Edinburgh in ſafety; and the King's preſence, of courſe, made Edinburgh now the principal ſeat of the government, and Crichton the chief miniſter of the royal power; who might eaſily procure Livingſton to be declared a rebel, and diſplaced from his high office*.

MEANWHILE, the governor himſelf returning to Stirling, after a few days abſence, found, to his utter confuſion, that the king was gone. After conſulting with his friends, and meditating with himſelf, what part he ſhould now take; he could determine upon nothing better than to repair to Edinburgh, and there to endeavour to make his peace

* Lindſay :—Leſly :—Buchanan :—Lindſay :—Hume's hiſtory of the Douglaſes.

peace by ſubmiſſion, with the rival by whom the prize of their ambitious contentions had thus been ſtolen from him. At Edinburgh, Livingſton found the biſhops of Aberdeen and Murray, who readily agreed to interpoſe their friendly offices for effecting another reconciliation between him and Crichton. Crichton well aware, that while Douglas and others of the great barons contemned the royal authority, and ſlighted equally both him and Livingſton,—any lengthened diſſenſion between them, muſt prove ruinous to both; and being himſelf content with an equality, or with at leaſt no invidious ſuperiority of power in the adminiſtration; was ready to liſten to any propoſals for an accommodation which ſhould not refuſe to leave the king in his cuſtody. Livingſton conſented to this condition. Their differences were then finally reconciled; Livingſton was confirmed in his office of governor; and they joined hand in hand, for the vigorous adminiſtration of the royal power, and for the purpoſe of humbling thoſe too powerful barons who now treated their authority with diſdain.*

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A. D. 1437-60. Reconciliation between Crichton and Livingſton.

THE young earl of Douglas took no part in theſe alternate conteſts and reconciliations of the regent and the chancellor. He reſided at his own caſtles, within his own wide domains; and being there ſurrounded by his kindred and vaſſals; and guided chiefly by the counſels of Malcolm Fleming of

* Eoſdem.

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A. D. 1437-60.

The young earl of Douglas.

of Cummernauld; acted more like an independent prince, than a subject, and scrupled not to exercise all the functions of kingly authority. Fleming and Alan Lauder had gone ambassadors from young Douglas, to Charles the Seventh, king of France; and had readily obtained from that monarch, investiture for their lord in the dutchy of Touraine, which had been first conferred upon his grandfather, and had been enjoyed also by his father. The mind of the youth was thus elated above measure. He governed his own vassals with a lenity of dominion which, while it attached them to himself, as the patron of their licence and their crimes; encouraged them to harrass the obedient subjects of the king, at their pleasure, with acts of robbery, theft, and wanton hostility. All who dreaded from Livingston and Crichton, the punishment of their crimes, found with Douglas, a secure refuge from which they might bid defiance to the power of the regal government. The southern and south-west counties seemed about to be detached into a new principality. It appeared as if the late king had cut off so many rebellious nobles allied to his own house, only to make way for the unavoidable aggrandizement of one great family by which the majesty of the royal family was to be overtopped, and reduced, as it were, under a noxious shade.*

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* Lindsay:—Lesly:—Hume's history of the Douglases:—Drummond.

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A Parliament being forthwith aſſembled at Edinburgh, after the ſecond reconciliation of Livingſton and Crichton; the grand object of its deliberations, was, to determine by what means they might bring young Douglas to pay a willing ſubmiſſion to the royal authority, or might, by force, or artifice, ſubdue his rebellious inſolence. It remained with Crichton who had been the confidential ſervant of thoſe meaſures by which his late ſovereign had ſucceſsfully taken off ſo many of his turbulent barons,—to deviſe means for humbling the pride of Douglas. The young earl was courteouſly invited to attend a new meeting of the parliament, in which it was pretended that the public buſineſs of the kingdom could not be tranſacted without the authority of his preſence, conſent, and counſels. With the pride of rank and power, the young earl had likewiſe all the ingenuouſneſs of inexperienced youth, and that freedom from ſuſpicions, which it was natural that his ignorance of men, and his unacquaintance with every thing but power and flattery ſhould preſerve in his opening mind. His friends and counſellors were either unſuſpicious, like himſelf, or were corrupted by money or by hopes held out to him from Livingſton and Crichton. Perhaps, indeed, the alternate reconciliations and quarrels of the two miniſters, might lead young Douglas and his friends to imagine that he too might with as little danger accompliſh

Counſels againſt Douglas.

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pliſh his reconciliation with the adminiſtrators of the ſovereign power; and that he might then add to his hereditary authority and honours, the new advantage of dictating his wiſhes to the parliament of the nation, and of obtaining the chief ſhare in the adminiſtration of the monarch's power. Beſides, without going—not only into doubtful, but into open and decided rebellion, it was no longer poſſible for Douglas to diſobey that courteous ſummons which called him to Edinburgh. Crichton, aware of the youth's approach, went courteouſly out for many miles to meet him; conducted him on his way, to Crichton-caſtle, a few miles from Edinburgh; and there for two days entertained him with the moſt reſpectful ſervice, and the moſt ſumptuous hoſpitality. From Crichton-caſtle,—for this was not the deſtined ſcene of any attempt againſt young Douglas's life,—they came, all, onwards to Edinburgh. Douglas, with his only brother David, and Malcolm his counſellor and friend, with all their attendants, lodged in the town. A crowd of the other barons who were obedient to the royal authority, with their vaſſals, had at the ſame time repaired thither. Even now, however, whiſpers of danger to the young Douglaſſes, began to be circulated; the face of things ſeemed to wear ſuch an awful calmneſs as is wont to precede a ſtorm: ſuſpicions began to ariſe in the minds of ſome of the young earl's friends, that Livingſton and

and Crichton could not poſſibly mean in their hearts, all that kindneſs and reſpect which they ſo oſtentatiouſly proffered to him. But, the young earl was himſelf too void of guile, of a magnanimity too manly and elevated, to give belief to ſuch whiſpers and fears, or to ſuffer them at all to influence his conduct. An entertainment in the caſtle of Edinburgh, where Douglas, his brother, and his friend, were to be feaſted at their ſovereign's table: was to crown the reconciliation of the earl to the adminiſtration of Livingſton and Crichton; and to gratify his ambition with one of the higheſt honours which could be conferred in addition to thoſe which had been already laviſhed upon him. His friends, his kindred, David his younger and only brother—would have withheld him from too credulouſly truſting himſelf within the caſtle whither his train could not accompany him. *At leaſt*, ſaid his counſellors, *let one brother ſtay behind: It was the dying advice of earl Archibald, to his two ſons, that they ſhould never truſt themſelves both at once within* the power *of any perſons from whom there might be danger to their* perſonal ſafety. By all theſe ſuggeſtions the earl's mind was ſtill unmoved; the conduct of Livingſton and Crichton ſeemed to be altogether remote from aught like fraud. William and David Douglas, the two only ſons whom earl Archibald had left, with Malcolm Fleming their friend, entered the caſtle, and ſat down to a mag-

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nificent entertainment at their monarch's table. Every countenance wore an aſpect of kindneſs and welcome; the young King received his noble gueſts with boyiſh fondneſs; Livingſton and Crichton ſtill ſhewed the ſame almoſt parental favour which all their words and actions had expreſſed in the town. The entertainment was prolonged with a cumbrous pomp, and a great variety of delicacies. But, at the laſt, a bull's head was ſuddenly placed before the two noble gueſts: They knew, too late, the ſignal of death, ſprang haſtily from their ſeats, and made ſome efforts to eſcape. In vain. A band of armed men who awaited the ſignal from within, now ruſhed upon them; in ſpite of all the tears and intreaties of the King, bound their hands; and led them forth to inſtant execution on the Caſtle-hill. Thus fell William earl of Douglas, and with him his brother David, while the eldeſt of the two was not yet ſixteen years of age. Malcolm Fleming, their counſellor and companion, ſhared their fate. Their execution puniſhed acts of rebellion which could not have been otherwiſe either puniſhed or reſtrained. But, that fraud which Crichton and Livingſton had employed, to ſupply the want of due force, and to bring the young men within their toils, was too darkly wicked even for the weakneſs of the government in that age to be juſtified in employing it; was unworthy of the ſchool of policy of James the Firſt, who knew to employ

employ artifice where ſtrength and authority failed, to the very point beyond which the uſe of artifice would have been unjuſt,—but without ever greatly exceeding that point. Crichton here followed the policy of his ancient maſter; but greater weakneſs drove the ſervant into more atrocious guilt, than his former lord would in ſuch a caſe have incurred. James the Firſt would moſt certainly have pardoned and diſmiſſed the boys upon their promiſes of amendment; or he would at leaſt have only detained them in ſafe confinement, until they ſhould have learned due reſpect for his authority. The parliament ſoon ſanctioned the execution of the Douglaſſes, and declared their death to be only the merited puniſhment of treaſon. Yet, their eſtates and honours were not forfeited from the family; but James, brother to Archibald their father, was ſuffered to ſucceed to the earldom of Douglas. And he, on the one hand, content with the ſucceſſion he had gained, ſtrove not to avenge his nephews' murther; while, on the other hand, Livingſton and Crichton ſatisfied with the murther of the two boys whom they had ſlain, or perhaps, already, half-repentant of their crime, did not immediately employ any farther machinations, either to exterminate the family of Douglas, or to diminiſh its juriſdiction and poſſeſſions*.

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* Lindſay:—Buchanan:—Hume's Hiſtory of the Douglaſſes.

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A. D. 1437-60. State of the intercourse with foreigners.

In the meantime, there arose nothing from abroad, so to occupy the turbulent spirit of the Scots, as that the progress of their intestine jealousies and dissensions might have been thus interrupted. The reign of a minor, the factious contests of his ministers and kindred, the exhausting efforts which the English made to retain possession of those provinces in France which Harry the Fifth had conquered,—left *them* no force and no leisure to renew any unprofitable warfare with the Scots. However earnestly the French might wish still to kindle up and maintain the flames of internal war in Britain; yet they could not persuade young James's ministers and subjects to renew gratuitously a warfare with England, from which the evils which they had to dread, might well be accounted to be much more formidable, than to counter-balance any advantages they had to hope. The queen-mother, too, whose father Somerset, and her uncle the Cardinal of Winchester, held the chief influence in the direction of English affairs, may naturally be supposed to have had—some share of influence with her own kindred, to induce them rather to forbear annoying the Scots with renewed war, and again—some interest with the ministers and tutors of her son, to incline them rather to neutrality in the contest between France and England, than to offer too zealous an interference on the side of France; especially as her daughter was neither

ther tenderly beloved by the dauphin her huſband, nor had born him any ſon to expect the inheritance of his honours and power. On the ſide of Norway, all was ſtill friendly: Nor had the Flemings again renewed thoſe hoſtilities againſt Scotland which their negotiations at the Court of James the Firſt had happily terminated*.

A. D. 1437-60.

Affairs of the Douglas family.

But, although it was ſtill thus at the extremities of that theatre of ſocial and political life which the Scottiſh hiſtory of this period preſents; yet, in the centre and upon the foreground, an important drama was ſtill going on. The ſtage was narrow; the actors few; but every character was ſtrongly and diſcriminatively characterized; every ſoul was pregnant with that genius, and with thoſe high paſſions which menace grand events: and the changing ſcenes were of ſuch a nature; that each ſeemed ſtill to promiſe ſomething neceſſarily different from what went before, but more fearfully intereſting than all by which it was preceded. The infirmities and the pacific diſpoſition of earl James prevented any diſſenſions from ariſing between him and the miniſters of the regal power, during the three years for which the poſſeſſions and honours of the earldom of Douglas were enjoyed by him. Had it not been for James's cautious policy, however, the poſſeſſions of this great houſe might now

* Hollinſhed, &c.

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now have been in ſuch a manner divided; that it would no longer have been the rival of the throne, and would therefore have been no longer in equal danger of being overthrown by the difficulty of that invidious height to which it had towered. The two unfortunate ſons of earl Archibald had left a ſiſter Beatrix, who was known by the appellation of the *Fair Maid of Galloway*. The earldom of Douglas, concerning which it was provided, that it ſhould be inherited by heirs-male alone, could not therefore fall to Beatrix. But the earldom of Galloway, on the other hand, which the family of Douglas had acquired at firſt by the marriage of an heireſs, was, of courſe, hereditary in the female line, and fell to be enjoyed not by the brother, but by the daughter of earl Archibald. While, therefore, James inherited the earldom of Douglas; Beatrix, his niece, became counteſs of Galloway. To prevent the conſequences of this diviſion of theſe great fieffs, James, contrary to the advice of his kindred, procuring a diſpenſation from the Roman Pontiff, gave his niece in marriage to his own eldeſt ſon. Not outliving long the accompliſhment of this marriage, ſo advantageous to the aggrandizement of his own family; he died at Abercorn, at peace with the King and his governors; leaving to his ſon William, the eldeſt of ſeven who ſurvived their father, a power and an opulence hardly leſs than royal*.

William,

* Lindſay:—Hume, &c.

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New disturbances excited by earl William.

William, the ſon of James Douglas, a young man, haughty, alert, and ambitious, no ſooner attained to the earldom, than he began to imitate rather the arrogance of his uncle, and his couſin, than the ſluggiſhneſs and ſubmiſſion of his father. He acted as an independent prince; permitted his vaſſals to commit depredations on the lands of their ſovereign's faithful ſubjects; gave protection to many who having made themſelves obnoxious to the criminal juſtice of the ſtate, took refuge with him; and fomented diviſions, and excited diſorders among the ſubjects of the kingdom, by which Livingſton and Crichton were exceedingly thwarted, harraſſed, and perplexed in the adminiſtration of the government. Inſtigated by Douglas, John Gormack of Athole, to deliver a robber of that diſtrict, from the hands of juſtice; attacked, near Perth, Ruthven, the hereditary ſheriff of Perthſhire, in the execution of his duty; but fortunately, was, after a deſperate conflict, ſlain with thirty of his company, by the ſheriff and his attendants. At Dunbarton-caſtle, Galbraith, a creature of Douglas's, firſt ſlew in a ſudden conteſt, Semple, who had been joined with him in the cuſtody of it; and then relying upon the earl's ſupport againſt his ſovereign, ſeized the caſtle for himſelf, and for ſome ſhort time bade defiance to the royal authority. Galbraith failed not to meet the puniſhment which he deſerved. But, while Livingſton and

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Crichton, were meditating, how they might beſt by artifice or open force, humble the pride of the ſons of James Douglas, as they had cut off thoſe of Archibald; the young earl bethought himſelf of employing happier means than arrogance, contumacy, and rebellion, to eſtabliſh the fortunes of his houſe, to diſappoint the malice, and to retaliate the injuries of his foes.*

The young monarch, now in the fourteenth year of his age; and in underſtanding, and in energy of perſonal character, yet more mature than in years; was ſufficiently weary of the tutelary bondage in which he had been held, to be diſpoſed to emancipate himſelf from the yoke of Livingſton and Crichton, and to aſſume the reins of the government into his own hands. A parliament was ſummoned to aſſemble at Stirling. The barons thronged to do honour to their young monarch, and to contend with one another, and with his former governors, for the firſt place in his favour. Among the foremoſt was young Douglas, whoſe reſpectful attendance, ſubmiſſion, and ſupplication eaſily gained from the young king, the pardon of thoſe offences by which he had expoſed himſelf to the penalty of high treaſon. It was not merely pardon that Douglas ſought or obtained. The ſplendour of his appearance, his manly form, his

He gains James's favour.

* Eoſdem.

his courteous manners, his ſkill in all the graceful exerciſes of youth, the reſpect and attachment which he profeſſed for this young ſovereign, and the averſion he eagerly expreſſed for all that the royal youth regarded with diſlike,—ſoon ſo much endeared him to James; that Livingſton and Crichton were, by his advice, removed in a great meaſure from their ſovereign's counſels; and Douglas adding, to his own hereditary authority, the adminiſtration of that of the crown, became by far the moſt powerful man in the kingdom.* A. D. 1437-60.

Seeks the ruin of Crichton and Livingſton.

The firſt uſe the earl of Douglas was diſpoſed to make of this newly acquired favour with his ſovereign, was, in order to puniſh Livingſton and Crichton, whoſe faithful ſervice to the crown had made them relentleſs and fatal enemies to his houſe. By his counſel, a rigorous account of their adminiſtration was immediately required from them. They had been more faithful and diſintereſted in their offices, than it is uſual for nobles and courtiers to be, when matters of ſuch high value, are intruſted within their power. Yet, it was not poſſible that, in ſo long an adminiſtration, and in the circumſtances in which they ſtood at the head of affairs, there ſhould not have ſome things paſſed which the repreſentation of an enemy might eaſily exaggerate into ſeeming crimes of embezzlement

* Lindſay:—Hume.

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Measures of Douglas against Livingston and Crichton.

and treaſon. Livingſton and Crichton as yet governors of the caſtles of Stirling and Edinburgh, were now declared rebels againſt the king's authority; and becauſe they refuſed to put themſelves within the power of Douglas their enemy,—ſaw themſelves about to be deſtroyed by that government which they had with infinite difficulty ſupported, and by the prince whom they had brought up. Extruded from their ſovereign's court, they would not however patiently endure the wrongs offered them by the contrivance of their rival and enemy. That ſummons which called them to a judicial trial, they heard with ſcorn and diſregard. Among their vaſſals, they prepared to ſtand upon their own defence, and to repel force by force. Douglas having procured their formal condemnation in a parliament aſſembled at Stirling, in which all his dependants and their enemies eagerly aſſiſted; diſpatched Forreſter of Corſtorphine to execute that ſentence which confiſcated all their goods to their ſovereign's uſe. Crichton's caſtle in Mid-Lothian was by Forreſter beſieged, taken under a capitulation, and then razed to the ground. But, Crichton failed not to retaliate the injury, by immediately ravaging and laying waſte Forreſter's barony of Corſtorphine, as well as Douglas's lands of Strathbrock, Abercorn, and Blackneſs. The late regent, lying under the ſame misfortune, made common cauſe with Crichton; and aided him in his

his attempts to retaliate the injuries offered by Douglas. James Kennedy, too, biſhop of St Andrew's, and nephew to the late king, gave not only his countenance, but his active ſupport to the cauſe of Livingſton and Crichton. The whole kingdom was for a moment divided againſt itſelf; the majority indeed adhering to the earl of Douglas and their young king; yet many being ſtill favourable to men whoſe government had been ſo wiſe and energetic as that of Livingſton and Crichton. At the command of Douglas, Lindſay, earl of Crawford, and Ogilvy of Innerquharity, made an inroad out of Angus into Fife, and laid waſte the lands of Kennedy, but could not ſeize the biſhop's perſon. Kennedy retaliated upon them with the thunder of excommunication, and the other ſpiritual arms of the church; a retaliation which they little heeded, and by which they were little injured. A conteſt between Ogilvy and Crawford's eldeſt ſon, concerning the bailiffſhip to the abbot of Aberbrothwick, ſoon after produced a combat, in which the earl of Crawford fell, and ſo many on both ſides were ſlain, that this even might well ſeem to an ignorant and ſuperſtitious age, to be nothing elſe than the vengeance of heaven interpoſing to give effect to the curſes of biſhop Kennedy, and to vindicate the ſacred authority of its miniſters. On the weſtern ſide of the kingdom, Boyd, captain of the caſtle of Dunbarton, treacherouſly

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rouſly ſlew James Stewart of Auchminto; and cruelly enticing Stewart's wife from her own houſe, by the fraudful artifice of a prieſt, as if to meet her huſband; conducted her to where ſhe was torturingly afflicted by the ſudden knowledge of his murther. The anguiſh of theſe tidings, with the thought that ſhe was in the hands of the aſſaſſins, brought upon her the pains of premature child-birth, which added to the ſorrow that wrung her heart, inſtantly delivered her from life. In Eaſt-Lothian, Archibald Dunbar beſieged and took the caſtle of Hailes in Eaſt-Lothian; and cruelly put to death all whom he found within it. The Douglaſſes however ſoon retook the caſtle, and made Dunbar their priſoner. All theſe, and a thouſand other miſchiefs were the effects of the endeavours of Livingſton and Crichton, with their friends and adherents, to withſtand Douglas in his endeavours to work their ruin by the abuſe of the royal authority which the partial attachment of the young king put wholly into his hands. The caſtle of Edinburgh which had for ſome time been held out by Sir William Crichton againſt the ſiege of the king and the earl of Douglas, was at laſt by Crichton ſurrendered upon the conditions of an amneſty to him, and his adherents, of all paſt offences,—and of Crichton's reſtoration to the office of chancellor, which he had held ſo long. This event terminated theſe diſturbances, and reſtored throughout

throughout the kingdom, a temporary but gloomy and insecure tranquillity.* Sect. I. Chap. II. A. D. 1437-60.

James now in his fifteenth year, was persuaded to court the affinity of some foreign prince, and to give a wife to his bed, to the throne a young queen. Crichton now restored to the monarch's favour, was wisely selected as a man eminently qualified to go upon an embassy of wooing for his sovereign. John bishop of Dunkeld, and Sir Nicholas Otterburn, were the chosen companions of his embassy. Margaret daughter to the duke of Guelders, and niece to the duke of Burgundy, was the lady to whom James had been taught to address the hopes and vows of his first youthful love. Crichton and his company met with no ungracious reception at the duke of Guelders's court.—But, in the mean while, the absence of Crichton left his friends almost without defence against the vengeful machinations of the earl of Douglas and his party. Crichton's wisdom and experience were a sure protection to himself; and to those who were attached to him: Livingston was far from possessing the same abilities and address. While the ruin of Livingston and some others of the party was plotted; Crichton returned from his embassy; conducting home the Flemish princess whom the duke of Guelders had willingly granted to the wishes of the young sovereign Marriage of King James.

* Lindsay, p. 32, &c:—Lesly:—Buchanan.

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ſovereign of the Scots. A gallant train attended her from Flanders. James received his bride with all the fond ardour of a youthful lover. The marriage was ſolemnly celebrated at Edinburgh. James conferred upon this occaſion, new poſſeſſions and honours upon his favourites of the Houſe of Douglas: With Crichton he became ſo much more cordially reconciled as to detach him now altogether from the intereſts of his old friend and rival Livingſton: againſt Livingſton and the remains of the party of his old miniſters, the young King then proceeded to exerciſe the utmoſt ſeverity of offended majeſty. Livingſton with his eldeſt ſon, and a certain number of his confidential friends, were impeached of high treaſon; condemned; and the younger Livingſton, with ſeveral of their friends, were beheaded on the ſcaffold. Their fall was pitied by the people; and they were lamented as the innocent victims of the revenge of Douglas. The elder Livingſton was, for a great ſum of money, ſaved from death by the hands of the executioner; but was ſent into confinement for the reſt of his days in the caſtle of Dumbarton*.

War with the Engliſh.

James now advancing to manhood, was deſirous to diſtinguiſh his reign by the glory of martial exploits. An occaſion ſoon aroſe; for when the truce, which had for ſome time held all things tranquil

* Lindſay:—Leſly:—Buchanan:—Drummond.

quil on the borders of England,—expired; the French earneſtly ſolicited their Scottiſh allies to renew the war; nor did England offer any conditions ſufficiently alluring to diſpoſe the Scots rather to remain at peace. Hoſtilities were mutually renewed; at firſt with petty incurſions, rather vexatious than greatly formidable; but ſoon with ſo much riſing rage upon both ſides,—that greater enterprizes were projected; and all the ſtrength and fury of the Scottiſh nation were ſoon vigorouſly oppoſed to all that could be done by the military force of the northern counties of England. The Engliſh had ravaged Annandale, the Scots had more than retaliated thoſe ravages upon Cumberland; when the Engliſh to anticipate any new enterprize by the Scots, collected an army of many thouſand men, and ſent this hoſt under the command of the earl of Northumberland, John Rennington, and Magnus Redman a knight who had diſtinguiſhed himſelf in the French wars by many acts of the hardieſt and moſt heroic valour, to invade the weſtern borders of Scotland from which they had been of late the moſt grievouſly annoyed by invaſion. While this ſtorm of invaſion approached, the Scots indignantly prepared to meet and to diſpel it. The weſtern marches more eſpecially, were under the wardenſhip of the earl of Douglas: But on him, and on his family and adherents, now depended the whole concerns of the national

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national defence. George Douglas, therefore, earl of Ormond, and brother to the earl of Douglas, was commiſſioned to repulſe the invaders; all the friends, dependents, and vaſſals of his houſe, joined him in arms. Wallace of Cragie, Johnſtoun of of Johnſtoun, Maxwell of Caerlaverock, leaders of tried ſkill and courage, were the principal captains who muſtered and conducted this army under Ormond's command. Hardly had the Engliſh advanced acroſs the Solway, and pitched their tents at the ſmall river of Sark, when the Scottiſh hoſt were ready at no great diſtance, to oppoſe them in battle-array. Alarmed by the news of the near approach of the Scots, the Engliſh were quickly obliged to call in thoſe ravaging parties which they had juſt begun to ſend out from their head-quarters to ſpoil the country. Scarcely could they make themſelves ready for the fight, when the Scots impetuouſly advancing, were ready to attack them in their tents. The Engliſh then in haſte, drew out in order of battle; their van-guard being led by Redman; Northumberland placing himſelf in the centre; while Rennington, with the Welſhmen who made a conſiderable proportion of the army, were ſtationed in the rear. On the ſide of the Scots, again, the brave Wallace of Craigie, allied by collateral deſcent, to the ancient champion of Scottiſh freedom, led on the van: Ormond, the commander in chief, was at the head of

the central column: Maxwell and Johnſtone, commanded in the left wing. The trumpets ſounded: The battle was joined. In ſpite of thoſe regulations which had been made by James the Firſt for the accompliſhment of the Scottiſh commonalty in the uſe of the bow; the Scottiſh archers were ſtill altogether unequal to the Engliſh. With the firſt vollies of their arrows, darts, and perhaps ſome muſquetry, theſe had now almoſt driven the Scottiſh column under Wallace into diſorder, before the latter could with the weapons which they wore, make any impreſſion. But, Wallace with all the fire of his illuſtrious anceſtor, at laſt impatiently calling to his companions to follow, ruſhed impetuouſly forward into cloſe fight with the oppoſite hoſt; was followed by all the brave men under his command; and when thus ſo nigh that the Engliſh could no longer empty their quivers with advantage, ſo powerfully employed their ſpears, their ſwords, their battle-axes, that the current of ſucceſs was quickly turned againſt the Engliſh; and rank was driven back upon rank—and column upon column, with the moſt dreadful confuſion and havock. Redman, with a choſen band, endeavoured to withſtand this impreſſion, and to break the force of the enemy, by which it was made. Terrible was then, for ſome moments, the ſtruggle of the combat, over all the field: Fury in every heart, braced each ſoldier's frame to the moſt vigorous

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exertion; here the overthrow of one oppenent gave new energy to hew down others; there wounds and defeat made the fallen bite the earth with doubly exaſperated rage; here was the ſtruggle between two warriours, whoſe force and dexterity were ſo equally matched, that while neither was worſted, each could with difficulty make the neceſſary reſiſtance; there a rabble were fighting, fleeing, advancing, all in one confuſion; here the vanquiſhed ſurrendered themſelves for the ſake of life, into captivity; there the pains of death were rendered more excruciating to the dying, and while their life iſſued from mortal wounds, they were torn in pieces, and trampled under foot, amid the fluctuating tumult of the battle. Redman, after efforts of incredible valour, was ſlain; nor did Wallace, the brave Scottiſh commander, to whom he was oppoſed, eſcape—nearly the ſame fate. But, the Engliſh were driven into general flight: And the flowing of the tide had, in the mean time, ſo much ſwollen the ſtreams which they had to paſs, that many periſhed in the waters as they fled; and many were ſlain, while they had turned their backs to the foe, yet heſitated to plunge into an impaſſable current. The priſoners taken, were many; and of theſe not a few were perſons of rank, whoſe ranſoms might be ſufficient to enrich their captors. There was likewiſe taken in the Engliſh camp, much precious ſpoil of gold and

and ſilver, which was divided among the ſoldiery, according to the uſual law of the diſtribution of ſuch plunder. The principal captives were placed in cuſtody, in the caſtle of Lochmaben. The victory added new ſplendour to the name of Douglas; and contributed to enhance that influence which was already almoſt all-powerful with the King and with the nation*.

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The earl of Douglas goes abroad.

The power, the pride, the grandeur, of the Houſe of Douglas, were now at their loftieſt height. They had aſcended like him, who mounts with painful ſteps, and with long but ſtill ſucceſsful toil, the gently ſloping declivity of a hill, even to the very ſummit, and then ſuddenly ſtumbling, is daſhed headlong down the precipice, oppoſite to the ſide by which he made his aſcent. To offend the Douglaſſes was, at this time, more dangerous than to rebel againſt their King. Many of the inferior barons, men who were yet conſiderably powerful and illuſtrious, found it neceſſary to court the protection of the earl of Douglas; and even voluntarily to ſubject themſelves to all the humiliation of vaſſalage to him, for the ſake of winning his favours, or eſcaping his enmity. Colvil of Ochiltree, having, about this time, ſlain Auchinleck of Auchinleck, a favourite adherent to the earl of Douglas;

* Leſly:—Lindſay:—Drummond:—Hume's Hiſtory of the Douglaſſes.

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Douglas; Douglas to ſignalize his vengeance, laid waſte to deſolation, Colvill's lands; beſieged and took his caſtle; put to death Colvill himſelf, and all who were found in the caſtle with him. While thus all powerful at home, Douglas became ambitious to diſplay his grandeur to the inhabitants of diſtant lands. Sumptuous preparations were made; and with an illuſtrious band of companions, with a numerous train of attendants, he departed to viſit France and Italy. With him went the chiefs of the families of Hamilton, Grey, Salton, Seaton, Oliphant, Forbes, and many others; ſo that a king could ſcarcely have been more royally attended upon ſuch a journey. In France, he was honourably received and entertained by Charles the Seventh, and inveſted with all the honours of the duchy of Touraine, which his three predeceſſors in the earldom of Douglas had enjoyed. From France he proceeded to Italy and Rome. At Rome he was received with thoſe honours which are due to princes only. The ſplendour of his appearance, the numbers of his train, the magnificence of his expence, every where ſeemed to reflect new glory upon the Scottiſh nation, and to repreſent the Houſe of Douglas, as the pride of all that was illuſtrious in Scotland. The earl of Douglas and his company appeared not to the French or the Romans, a troop of needy barbarians,

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ans, but a train of the moſt gallant knights of whom Chriſtendom could boaſt*.

The King becomes jealous of Douglas.

But, at home, in the mean time, the greatneſs of the Houſe of Douglas had begun to be fatally ſapped. A truce had been again negotiated with the now feeble and diſtracted government of England, which left the Scots at peace from foreign war. Succeſſive embaſſies from France, had obtained only permiſſion for ſome levies of ſoldiers, but had not involved the Scots more deeply in its quarrel. A peace at laſt wreſted from the Engliſh, had re-eſtabliſhed Charles the Seventh in the poſſeſſion of all the ancient dominions of the French Crown. New troubles ſpringing up in England, began to threaten the dethronement of its monarch, and the elevation of a different family to the ſovereignty. The abſence of Douglas from Scotland, while the Scots ſtood in this poſture in reſpect to their wonted foreign enemies and allies,—left the King at liberty to turn his cares to reduce within due limits, that power of a ſubject which even when not adverſe to the Crown, might ſtill ſeem to overtop and overſhadow it. James had now grown up to manhood. His natural abilities had, fortunately, not been cramped to fatuity under the tuition of Crichton. He was not deſtitute of the magnanimous ambition becoming a monarch;

* Hume's Hiſtory of the Douglaſſes, &c.

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narch; he had gradually learned amid the conteſts of his nobles and miniſters, to diſcern the true intereſts and duties of his royal ſtation. The preſence of the earl of Douglas, the aſcendency which his perſonal qualities had acquired over the monarch's mind, the extenſive and deeply rooted influence which he poſſeſſed with the nation,—had all together drawn James to make the ſovereign authority, for a time, the inſtrument of his vaſſal's ambition. But James now awaking, as from a dream, began to diſcern that he had advanced Douglas too high; that he had gratified him too far; that he had unwiſely exalted him to a pre-eminence from which he might blaſt his own greatneſs; that the policy of Livingſton whom he had put to death, of Crichton whom he had degraded, was far more true to the Crown when they endeavoured to deſtroy, than his own policy when he had ſo diligently built up—the grandeur of the Douglaſſes. Enow were near to ſuggeſt ſuch reflections as theſe to the young monarch's mind, or to encourage them when they had been once ſuggeſted, and inflame ſuſpicion to uncontroulable rage. Douglas of Balveny, who had been left to ſuperintend and direct with full authority, all the earl's affairs during his own abſence, imprudently thwarted the wiſhes of the King, and ſlighted his authority; and at the inſtigation of the earls of Moray and Ormond, the earl of Douglas's brothers, abuſed all the

the power of the earldom to irritate the King, and ſet the royal authority at defiance. At laſt, Balveny was ſummoned to appear before the parliament, and make anſwer to certain charges which had been formally preferred againſt the earl, whoſe procurator he was. Balveny contemptuouſly refuſed obedience to the ſummons. James gave orders; and he was brought in by force. His ſubmiſſion, made, when he had no longer any alternative between ſubmiſſion and puniſhment, was accepted in good part by the King, ſtill reluctant to raiſe the arm of juſtice or vengeance againſt his late favourite. No ſooner, however, had Balveny thus eſcaped out of the hands of the offended monarch, than he ſcornfully violated all the engagements he had ſo lately made; refuſed to redreſs thoſe wrongs, on account of which the monarch's wrath had been excited againſt him; and acted as if faithleſsneſs and rebellion had been among the taſks impoſed upon him by his abſent lord. James then deſpatched the earl of Orkney, now his chancellor, to confiſcate to his uſe the rents of the earl of Douglas's eſtates in Galloway and Clydeſdale: But, Orkney was ſlighted, diſobeyed, and withheld by the vaſſals of the Houſe of Douglas, from carrying into execution, thoſe orders of which he had come, the miniſter. Provoked beyond meaſure by this continued inſolence, James then, for the laſt time, ſummoned by a herald,

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rald, all the adherents of Douglas to make immediate ſubmiſſion to the laws; and without farther delay muſtering a powerful military force; marched into thoſe weſtern counties in which the authority of Douglas was reſpected, but that of his ſovereign ſcorned. Even the preſence of the monarch could not there command obedience, till James took by ſiege the fortalices and caſtles; placed a new garriſon in the caſtle of Lochmaben; levelled that of Douglas to the ground; from the lands and goods of the humbled rebels, made compenſation to thoſe who had ſuffered by their violence and rapine; and inflicted ſuch puniſhments, as juſtice tempered with relenting mercy, ſeemed to award againſt their crimes. Earl William received tidings of theſe tranſactions in Scotland, while he with his attendants and companions, were ſtill enjoying the ſplendid feſtivity of Rome, and oſtentatiouſly diſplaying their wealth and magnificence in that capital of the weſtern world. At the news of events ſo unfavourable, and ſo unexpected, he was alarmed, confounded, and perplexed; as were likewiſe all thoſe who were with him. They haſtily bade adieu to Rome; and aſhamed as if all Europe knew them to be outlaws, ſtole home, almoſt ſingly, and by different ways; ſome through France, ſome through Flanders; the earl himſelf by the way of England. But James was not yet relentleſsly

relentleſsly enraged againſt the earl. The brother of the earl of Douglas, having come, to ſoothe the King's anger before William himſelf ſhould arrive; was not ungraciouſly received by the monarch, and was aſſured, that if the earl would only reſtrain the diſorders of his vaſſals and dependents, he ſhould be not leſs welcome to his ſovereign than he had formerly been. The earl himſelf arriving ſoon after, ſeemed, at firſt, to reſume his former aſcendency over James's mind, and was ſoon nominated his lieutenant or juſticiary for the whole kingdom. But, Douglas, would no longer repoſe confidence in the monarch's favour. He ſaw that James was not the mere ſhadow of a prince, deſtined to be the tool of miniſters and nobles, but a young monarch of a keen, vigorous, and comprehenſive mind, qualified to govern for himſelf. He ſaw that James's jealouſy was now actively awake againſt him; and dreaded that it might never more be effectually laid aſleep. His brothers, too, and all his kindred ſeem to have ſtriven to irritate his pride and reſentment againſt his ſovereign. Not long, therefore, after his return, he repaired without the monarch's leave into England, and rouſed anew that reſentment which had been ſo lately appeaſed,—by the ſuſpicion of a treaſonable negociation with the Engliſh King. Again, however, the earl ſubmiſſively returned to James's court, and without great difficulty pacified

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the anger of his former friend, who had not yet altogether ceaſed to regard him with ſomewhat of a friend's partiality. James, however, would not at this time ſo wholly reconcile himſelf to Douglas, as not to diveſt him of his offices about court, and to diſmiſs him to retirement and privacy within his own domains*.

Feud between the Douglaſſes and Crichtons.

These events were proceeding faſt in an unbroken chain, to that awful cataſtrophe, in which they were ſoon to cloſe. Sir William Crichton, the ancient and faithful ſervant of the crown, ſucceeded to a part of that favour with James, and to ſome of thoſe offices which Douglas had loſt. Crichton did not diſguiſe his enmity to the earl. To his former offences againſt the houſe of Douglas, he was now continually adding others which could not be pardoned. Reſolving to rid himſelf for ever of ſuch an enemy, Douglas, with a party of his ordinary followers, caſting off all reſpect for the King's peace, lay in wait for Crichton between his own caſtle and the town of Edinburgh. Going in the morning, and with few attendants, from Crichton-caſtle to Edinburgh, Crichton found himſelf ſuddenly aſſaulted by a troop of armed men who aroſe againſt him, out of ambuſh. Crichton himſelf would have fled; but, his ſon, a gallant youth,

* Leſly:—Lindſay:—Hume's Hiſtory of the Douglaſſes, &c.

youth, and others who accompanied him, repreſented that fearful flight would be vain, and intreated him to oppoſe thoſe treacherous aſſailants with his wonted manhood. The old man and his companions hence taking courage, made ſo vigorous a reſiſtance, that ſome of their aſſailants fell, and the reſt could not prevent him from making his retreat in ſafety and with honour to Crichton-caſtle. The Crichtons would not brook this villainous aſſault unpuniſhed. They quickly aſſembled their vaſſals and friends, and coming ſuddenly upon the earl of Douglas while he remained at Edinburgh, compelled him to leave that town in the diſgrace of defeat, and not without incurring extreme danger as to his perſonal ſafety. Crichton ſeemed to have acted not without the king's encouragement; and the danger and diſgrace appeared therefore to Douglas more alarming than if they had proceeded merely from an angry fellow-ſubject*.

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The dye was now caſt. Neither Douglas nor his ſovereign could longer ſteadily and cordially believe the ſafety of the other to be conſiſtent with his own. Yet each feared to begin a conteſt of which the event could not but appear uncertain. Douglas, already connected by the ties of blood and by other ſtrong relations with moſt of the principal nobility, now ſought to ſtrengthen himſelf

* Lindſay, p. 58.

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ſelf farther by a league offenſive and defenſive, againſt all enemies whomſoever, with the earls of Ormond, Moray, Crawford, and Roſs. The league was ſolemnly concluded: Its chiefs were maſters of the greater part of the kingdom: And they might all now deem it ſafe for every one of them to ſet their ſovereign at defiance.—This was throughout Europe, the critical æra of a great revolution in the feudal ſyſtem. And in Scotland, it might ſeem probable, that the nobles might now either become independent princes, like thoſe of Germany and Italy; or might rather reject a king from reigning over them, and become an ariſtocratical republic; or if by any fortune which could ſcarcely be feared or expected, their king ſhould prevail againſt them, might be reduced to the abject ſtate of the trembling ſlaves of an uncontroulable deſpotiſm. But, the kingdom, the field of the conteſt, was too narrow to afford room for the monarch to enſlave one part of his ſubjects, while another ſhould careleſsly view their fate, or even become the miniſters of their ruin: It was too narrow to afford room for its diviſion into ſeparate principalities:—They ſeem to have been cauſes leſs general and permanent in their operation which we ſhall ſee to have at this period interpoſed to prevent Scotland from becoming a ſort of elective monarchy, or an ariſtocratical republic.—Douglas now armed at all points againſt his ſovereign's wrath by the league into which he had

had entered; oppoſed the execution of the laws by the king's officers, yet more openly and inſolently than he had done before. Whoſoever among the inferior barons preferred their allegiance to James, before that attachment and dependence which Douglas claimed from them, were purſued, if within the ſphere of his power, with exterminating fury. Herries of Terreagles, one of the moſt loyal ſubjects of the crown, having often in vain aſked compenſation from Douglas for the rapine with which the plundering borderers of Annandale were accuſtomed to waſte his lands; at laſt, with a band of his vaſſals, made an inroad into Annandale, to retaliate the evils he had ſuffered, and if poſſible to bring away booty which might compenſate his loſſes; but fell himſelf in the attempt, and left his kindred and vaſſals expoſed to that relentleſs rage with which the houſe of Douglas and its dependents were wont to purſue their foes. Maclellan of Bombie, a vaſſal of the crown, whoſe poſſeſſions lay in the midſt of Douglas's lands in Galloway, refuſed however to attach himſelf to the earl, and amidſt the general ſwerving of all around him from their duty, remained, almoſt alone, faithful to the intereſts of his king. In the eyes of Douglas, this conduct in a ſmall man, ſuch as Maclellan, was an unpardonable crime. He beſieged him in his caſtle of Bombie, took and deſtroyed it, and carrying Maclellan himſelf priſoner to the contiguous caſtle of *Thrieve*; there

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Cruelty of Douglas to Maclellan of Bombie.

there threw him into close and afflictive confinement. At the news of Maclellan's misfortune, his uncle, Sir Patrick Gray, obtained the king's letter to Douglas, begging Maclellan's deliverance; and Gray himself went as the bearer of the letter. After Gray had arrived at the castle, and presented the king's letter to Douglas; Maclellan was brought forth and beheaded; and it was with difficulty, that Gray, uttering some warm expressions of resentment for the cruel death of his nephew, and for the insult offered to himself, the messenger of his sovereign; could make his escape from the keen pursuit of Douglas's haughty anger. The indignation with which James received the news of such acts as these perpetrated by Douglas, or under his authority; determined him at length to have recourse to the profound and artful policy of his father, or if necessity should require, even to the darker and more bloody counsels of Crichton, for the purpose of ridding himself of the opposition of a subject so powerful and so contemptuously disobedient*.

Earl Douglas was therefore not imperiously summoned, but courteously invited to attend his sovereign in a parliament at Stirling. Letters of pardon and safe-conduct under the king's great seal, were, at his earnest request, granted, to remove

* Lindsay, p. 61, 62, 63, 64, &c.

move any apprehenſions which he might conceive of danger likely to ariſe to him from putting himſelf into the hands of a king whom he had offended. Crichton was ſent away from the court, leſt his preſence ſhould lead the earl to dread the ſame fate by which his couſins had been before cut off. Douglas invited to court and ſlain. Douglas, thus aſſured, that he might without fear or danger, appear in the king's preſence, repaired with a princely train of attendants to Stirling. The earl himſelf was here received into the king's preſence in the caſtle, and entertained at the monarch's table with the moſt gracious courteſy. But, whether James had already taken his final reſolution, or whether he began to hope that Douglas's heart was now opened to ſentiments of loyalty, and even of reviving friendſhip; after the entertainment he conducted the earl into his cloſet; and, with hardly any one to witneſs what paſſed between them, began to expoſtulate with him gently, yet earneſtly, concerning thoſe late meaſures of his, by which his ſovereign's jealouſy had been unavoidably excited. The league eſpecially, the league in which he had combined with ſo many other barons to give the law to their country and their king, was the ſubject of James's moſt earneſt expoſtulations. While the monarch preſſed his potent vaſſal to abjure this unlawful combination; while Douglas heſitated, and ſtrove to eſcape from the point, and at laſt poſitively refuſed to yield to his ſovereign's demand;

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demand; while the converſation waxed warm, then angry and ſcarcely reſpectful, then vehement, ſharp, and ſarcaſtic above the decencies of reſpect, at laſt on both ſides furiouſly paſſionate;—James ſuddenly drew a dagger, and ſwearing, that, ſince Douglas would not himſelf diſſolve the bond into which he had diſloyally entered,—*this at leaſt ſhould*,—plunged the weapon with impatient rage into the earl's boſom. They who waited in the anti-chamber ruſhed inſtantly in. The blow which the royal hand had ſtruck, was ſeconded and confirmed by a multitude of others; and the haughty Douglas lay a bleeding, lifeleſs, mangled corpſe*.

Rebellious conduct of the earl's followers.

The earl's company who in the mean time, in the town, awaited his return, were quickly apprized of his ſlaughter. Their firſt reſentments was furious and frantic. James, the ſecond brother of the earl, who had been before conſidered as heir-apparent to the earldom, was immediately called to command, in his brother's ſtead. Ormond, and Moray, his other brothers, were at the ſame time preſent in Stirling, as was James Hamilton of Cadyow, with others of the principal adherents to the family of Douglas. Their firſt acts of revenge were—To attempt in vain to take the caſtle by aſſault, to burn with every circumſtance of contemptuous indignation, that letter of ſafe-conduct by

2 which

* Lindſay:—Leſly:—Buchanan:—Drummond.

which the earl had been enticed within his ſovereign's power, to execrate James himſelf as falſe and treacherous, to burn the town, and to ravage the ſurrounding country. All the domains of the monarch, were impetuouſly deſolated in their firſt fury; all the lands and houſes of his favourite ſervants, which lay in thoſe counties, underwent the ſame fate; all who had refuſed to eſpouſe the intereſts of the houſe of Douglas, even although not paſſionately attached to their ſovereign, were treated as if they had been accomplices in the ſlaughter of earl William. But, of all their adverſaries, there was none againſt whom their indignation more furiouſly raged, than againſt Douglas of Dalkeith, a deſcendent from that branch of the family of Douglas, to which had belonged the famous knight of Liddeſdale. They ſpoiled his lands, and laid ſiege to his caſtle, but after long delay before it, were obliged to depart without having accompliſhed their purpoſe. The flame ſoon ſpread far and wide; and before any effectual meaſures could be taken by James to reſiſt its fury, almoſt all the diſtricts of his kingdom were waſted by its deſtructive activity. All the members of the league took arms; and the means which the monarch had incautiouſly employed to deliver himſelf from the oppoſition of a too powerful ſubject, ſeemed to be about to precipitate him from his throne*.

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* Eoſdem quos ſupra.

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Civil war.

Yet, James was not deſtitute of counſellers to aſſiſt him with advice, or of warriours to fight his battles. Crichton ſtill lived, was ſtill faithful to his ſovereign, was ſtill the inveterate foe of the Houſe of Douglas. James Kennedy, biſhop of Saint Andrew's, ſon to the ſiſter of James's father, who had learned the arts of policy in the ſchool of James the Firſt, who had attached himſelf to the party of Crichton, who was zealouſly loyal to his ſovereign, who was to the Douglaſſes, ſtill a foe; in this ſeaſon of danger and difficulty, came among the foremoſt to aid the monarch with his advice and active aſſiſtance. Others alſo crowded in, to gratify old latent grudges againſt the Douglaſſes, to ſhare the ſpoils of thoſe forfeitures which could not fail to take place, to acquire a right to the honours of a victory which they fancied that their young ſovereign could not fail to gain. In a parliament which aſſembled at Edinburgh, the earl of Douglas and many of his vaſſals were ſummoned to appear, under pain of forfeiture, and undergo a trial by their peers for the crimes with which they were charged; while others of them were declared to be already outlaws. Every effort was made to aſſemble a force which might be adequate to give efficacy to the parliament's decrees. From all quarters of the kingdom, thoſe who delayed, were ſummoned to haſten to their ſovereign's aid: In every part they were

were enjoined to reſiſt and purſue the partizans of the Douglaſſes, as outlaws and rebels*. Sect. I. Chap. II. A. D. 1437-60.

From the north, in the mean time, the earl of Huntley, although encompaſſed within his own territories, on the one hand by the earl of Moray, on the other hand by the earl of Crawford; was nevertheleſs faſt haſtening ſouthward to his ſovereign's aid. On his march, he was oppoſed near Brechin by Crawford, the relation and partizan of Douglas, with an army not leſs numerous than his own. They engaged with doubtful hopes, in a battle in which the proſpect of ſucceſs might at firſt ſeem—at leaſt as fair for Crawford as for Huntley: But, Coloſs of Bonnymoon, with three hundred men armed with battle-axes, retiring unexpectedly from the ſtation in which he had been placed in Crawford's battle-array; the ranks of that army were conſequently broken, and driven into general flight; and a fierce purſuit enſued, in which prodigious numbers of them were ſlain. Huntley, although thus victorious, was now however unable to proceed to the aid of the King: He returned back to Strathbogie; and there was ſufficiently occupied, for a conſiderable time, in reſiſting and retaliating the inroads of the earl of Moray. The news of Huntley's ſucceſs ſerved to give new courage and better hopes to the King's adherents in the ſouth; and it could not but appear to augur farther evils to Douglas Battle in the North.

* Eoſdem.

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Douglas and his confederates, although it could not allay or divert their rage. For ſome time, while Douglas ſtill feared to meet his ſovereign in a pitched battle; and while James found himſelf ſtill too weak in military force, to purſue the rebels to the laſt extremity; the conteſt was carried on ſolely by mutual menaces and ravages committed—by the Douglaſſes on the domains of the Crown, and on the lands of the King's faithful ſubjects,—by the King and ſervants upon the poſſeſſions of the Houſe of Douglas, in the foreſt of Selkirk, in Annandale, and in Galloway. In vain did ſome of the deareſt friends of the earl adviſe him to caſt himſelf upon his ſovereign's mercy: He vowed, never to obey, never to truſt himſelf within the power of—the murtherer of his brother. Crawford came at length in humble guiſe to intreat the pity and forgiveneſs of his King, and by the benevolent interpoſition of biſhop Kennedy, fortunately obtained it. But Douglas himſelf ſtill governed by implacable reſentment, choſe rather to ſolicit the aid of England; and notwithſtanding the defection of ſome of his former followers, determined to proceed to the laſt extremities againſt his King. James not leſs active to ſupport his authority than was Douglas to avenge the pretended wrongs of his family; now laid ſiege to the caſtle of Abercorn, one of the principal and the beſt fortified ſeats belonging to the rebel earl. To raiſe this

ſiege,

ſiege, Douglas aſſembled an army conſiſting of all the military force which his vaſſals and adherents could furniſh. The King's army was numerous; and even the earl of Angus, the near relation of Douglas, had been perſuaded to deſert the chieftain of his clan, and adhere to his ſovereign. But, the army of Douglas was ſtill more numerous, and was believed to amount to no fewer than forty thouſand men. James Kennedy, however, approved himſelf ſtill a faithful counſellor to his ſovereign; and the King himſelf now advanced to the full years of manhood, wanted neither courage, nor the reſources of mental firmneſs and diſcernment, to enable him to meet the awfully dangerous exigencies of this occaſion. New reinforcements came in, to augment their ſovereign's army; but its numbers were ſtill exceeded by thoſe which followed Douglas. The two armies were now encamped within an inconſiderable diſtance of one another: Douglas lay on the ſouth-ſide of the river Carron: The King's army was ſo diſpoſed as to cover the ſiege of the caſtle of Abercorn. The riſk on the two ſides was unequal; James could not be vanquiſhed without loſing probably both his life and his crown: Douglas, although defeated, might ſtill eſcape from his ſovereign's vengeance; and might yet renew the war. On both ſides, all was eager reſentment and bold courage; but on the ſide of Douglas, whoſe followers riſked their all in oppoſition to their duty,

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duty, there was more of tumultuous inſubordination, leſs of ready and reſpectful obedience. To increaſe this diſpoſition in the army of his adverſary, James, by his heralds, firſt commanded Douglas and his followers to lay down their arms, and depart every one to his own home, under the pain of ſuffering the death and the forfeiture of traitors; and then proclaimed an amneſty of all paſt offences to ſuch as ſhould obey theſe commands, and forſake the rebellious banners. Douglas himſelf, and many of his followers, began to heſitate and waver in their purpoſe of battle, amidſt emotions of remorſe, diſmay, and a ſort of reluctance to proceed to the laſt extremities of diſloyalty. Hamilton of Cadyow marked the wavering ſpirits of Douglas's troops, and preſſed the earl to give battle to his ſovereign's forces, before this growing irreſolution ſhould diſſolve and diſperſe his army. Douglas receiving the ſuggeſtions of his friend rather as an imputation againſt his own courage and prudence, than as a counſel which deſerved to be followed without a moment's delay; ſlightingly rejected them. Hamilton, perſuaded that the critical hour was now paſt, in which the fortune of the Houſe of Douglas, might poſſibly have over-balanced that of the Stewarts; determined at leaſt to take care of his own ſafety. With this determination, he, that night, retired from the tents of Douglas, and paſſed over with all his vaſſals,

Final ruin of the Houſe of Douglas.

vaſſals, to the army of the King. His example was inſtantly followed by almoſt all the reſt of Douglas's company. By the morning, there remained with the earl not an hundred armed men, beſide thoſe of his own houſe. James was thus without battle and without bloodſhed, deciſively victorious. Douglas fled to Annandale, with his brothers, the earls of Moray and Ormond. He was purſued thither by a body of forces under the command of the earl of Angus, who, although nearly related to the Houſe of Douglas, was yet, by his mother, more nearly related to the King, and was uterine brother to biſhop Kennedy. Angus and the King's forces prevailed. The earl of Moray was ſlain; the earl of Ormond made priſoner; and the earl of Douglas himſelf driven to provide for his ſafety by flight into England.—Some years after, Douglas returning, brought Piercy earl of Northumberland, upon an expedition againſt his country. This expedition was alſo eaſily defeated. Douglas was made priſoner; and ſo contemptible was then the man who had once made his ſovereign tremble, that, although the earl of Ormond had been put to death as a traitor; James contented himſelf with ſending the forfeited and captive earl of Douglas to ſpend his latter years in monkiſh confinement in the abbey of Lindores.—The vaſt eſtates of the earldom of Douglas were all forfeited to the Crown. Angus, the brother of biſhop

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biſhop Kennedy, obtained from the King the barony of Douglas, and ſucceeded to the enjoyment of Douglas's ancient credit with his ſovereign. Hamilton of Cadyow, after a while of confinement in the caſtle of Roſlin, and in the cuſtody of the earl of Orkney; was, through Angus's interceſſion, at laſt reſtored to his ſovereign's favour. In Annandale and Galloway, the barons Johnſtone and Maxwell, were enriched by a liberal diſtribution from their ſovereign, of the ſpoils of the forfeited Douglas*.

So FALL the mighty! It is impoſſible to contemplate without a ſigh over the viciſſitudes of human things, an inſtance ſo conſpicuous, as this overthrow of the houſe of Douglas, of the inſtability of all mortal greatneſs, however firmly it may appear to be rooted on its baſis! For the ſpace of more than one hundred and fifty years, the Houſe of Douglas had continued to ſpring up, to exalt itſelf, to ſpread out,—to puſh, as it were the roots of its grandeur to the centre of the earth, while the towering elevation of its ſummit ſeemed to reach the heavens. It ſtood like a coloſſal form beſtriding the confines of the kingdom from one ſide of the iſland to the other: And with a flaming, blood-ſtained ſword, now dealing deſtruction upon the heads of all who preſumed to overleap the barrier which it ſtood to guard; now turning with ſomewhat of cannibal fury, to enchain

* Lindſay, P. 62. to 89.—Leſly:—Buchanan, &c.

chain and to devour ſome of thoſe whom it protected from other violence than its own. Its greatneſs had grown collaterally with that of the Bruces and the Stewarts. Its honours and poſſeſſions had been the rewards of invariable loyalty and patriotiſm. For the better part of two hundred years, in a numerous ſeries of earls, there had been no chief of the houſe of Douglas who was not brave, loyal, and poſſeſſed of conſiderable mental talents for both policy and war. James, the companion of Bruce; James who fell in the battle of Otterburn; Archibald who was made priſoner in that of Homildon, who fought in that of Shrewſbury, who in reward of the valour with which he himſelf and his ſon afterwards fought in the French wars, obtained the dutchy of Touraine: his father too, Archibald the Grim earl of Douglas and Galloway; appear to have been among the moſt diſtinguiſhed warriours and ſtateſmen that any age or nation could produce. While they had travelled on in the paths of patriotiſm and loyalty, they continued to flouriſh. It was in their firſt efforts of rebellion, and at a time when they ſeemed now greater than they had ever been before, that their greatneſs was thus fatally blaſted, and they fell—never to be reſtored.

Of that confederacy which James had in vain attempted to diſſolve by gentler meaſures, none

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now remained but the earl of Roſs. Roſs dreading the ſame fate by which his confederates had been deſtroyed or humbled, ſeems to have for a time given way in Roſs-ſhire, to the royal authority; but to have taken ſhelter in the iſles which were his principality, and there to have ſtrengthened himſelf againſt the return of times which might prove more favourable to his ambitious rebellion. His wife, glad to eſcape from his tyranny, threw herſelf at James's feet, begging his protection; was graciouſly received, and honourably provided for, by him. Beatrice, too, the daughter of earl Archibald, the ſiſter of William and David who were ſlain in Edinburgh-caſtle; the wife firſt of her couſin William Douglas,—and afterwards by compulſion, and to prevent the diviſion of the eſtates of the earldom, alſo of his brother James; had already deſerted the fallen fortunes of her huſband, had obtained out of his forfeiture, the lordſhip of Balveny, and had been given in marriage to the earl of Athole, uterine brother to the King. Throughout his dominions, James now executed juſtice, and made the authority of the crown and of the laws to be feared and obeyed. Other great families were riſing by the favour of the prince, and by the perſevering activity of their own avarice and ambition, to that dangerous elevation from which the Douglaſſes had been hurled. But, none were now ſufficiently potent to excite againſt themſelves

themſelves their ſovereign's jealouſy, or to ſlight his commands with impunity. Biſhop Kennedy, a man wiſe and popular, was now James's favourite counſellor, and gave ſuch advice, as tended eminently to promote the proſperity of his ſovereign's reign. James himſelf went on to diſplay new talents for government, which promiſed, in due time, to rank him among the greateſt monarchs who had occupied the Scottiſh throne*.

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In the mean time, England was, ſtill more than Scotland, waſted and diſtracted by domeſtic diſſenſions. Henry the Sixth had at length aſſumed the reigns of the government into his own feeble hands. But, the weakneſs of his perſonal character, the diſaſters of his reign, and the dubious title of his Houſe to the Crown, encouraged the duke of York, who was like him deſcended from Edward the Third, but by a line of deſcent which conveyed to him a prior title to the crown;—to take up arms againſt the ſovereign whom he had, for a while, obeyed, and to appeal to the ſword for a deciſion in regard to their reſpective pretenſions. The civil wars thus kindled up, were deſtined to waſte England for a ſeries of years; to prove fatal both to York and to King Henry; at laſt to fix the Crown, for ſome ſhort time, on the head of the ſon of York; and to diſtract all England for a while, with ſuch

State of Engliſh affairs.

* Lindſay:—Leſly:—Buchanan:—Drummond, &c.

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such cruel inteſtine wars, that the Engliſh ſhould have little leiſure, during this period, to diſturb their neighbours either in Scotland or upon the Continent*.

Siege of Roxburgh-caſtle; and death of King James the Second.

But, in the beginning of this contention, Henry's queen and miniſters earneſtly ſought aid from the King of Scotland, whoſe character diſtinguiſhed by the overthrow of the Douglaſſes, was now held in eſteem among foreign nations. James, willing to ſignalize his reign by ſome illuſtrious deeds in war, readily agreed to invade the northern frontier of England; while Henry and his friends and followers ſhould, in its ſouthern parts, occupy the greater part of all the military force which York could be able to raiſe. In compenſation for theſe ſervices, James was to be permitted to retain in perpetual poſſeſſion, all thoſe ancient domains of his Crown, which he ſhould, in this warfare, conquer from the partizans of York. With high hopes, therefore, he ſummoned his military vaſſals to attend him in arms; and after ſome ſhort delay marched to lay ſiege to the caſtle and town of Roxburgh. The town was quickly taken. While the ſiege of the caſtle was prolonged, the party of York having already triumphed in England, and got the king into their hands, ſent, in Henry's name, to requeſt James to deſiſt from hoſtilities againſt

* Hollinſhed, &c.

againſt a kingdom which was now wholly theirs. But, James would not lay down his arms without having obtained ſome compenſation for taking them up; nor deſert the cauſe of queen Margaret and her children. He perſiſted in the ſiege; and had hopes of being ſpeedily maſter of his caſtle. His barons continued ſtill to come in with their forces to ſupport his enterprize; the earl of Roſs came to make amends for his late rebellion; and the earl of Huntley, to enhance by new ſervices the merits of thoſe important ſervices which he had before performed. James himſelf, was continually active, went about every where, directed every meaſure in the attack, and delighted to watch with what effect the artillery was, from time to time, charged and diſcharged, againſt the walls. But, while, amid this intrepid and unwearied activity, he ſtood too nigh to one of the cannons when it was diſcharged; the piece was ſuddenly burſt into pieces; and one of the fragments falling upon James's thigh, wounded him ſo ſeverely, that he died almoſt upon the ſpot. Mary, his queen, animated with a heroiſm of ſpirit, ſcarcely inferior to that of the unfortunate Margaret, of England; no ſooner received the tidings of his huſband's death, than, inſtead of bewailing his fall with womaniſh lamentation, ſhe haſtened with her eldeſt ſon to the camp; and urging the ſiege but the more earneſtly and impetuouſly, on account of her huſband's death,

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death, ſoon took the caſtle, and indignantly razed it to the ground*.

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Thus periſhed James the Second, in the month of Auguſt, in the year one thouſand four hundred and ſixty, the thirtieth year of his age, the twenty-fourth of his reign. Rarely have princes left upon the throne, to the tuition of governors and miniſters, at that almoſt infant-age at which James ſucceeded his father,—received an education fitted to qualify them for doing honour to royalty. In order to retain the authority intruſted with them, the regents and miniſters of boy-ſovereigns, have for the moſt part, endeavoured either to deſtroy the talents of their royal wards, by diverting them to ſtudies and purſuits, innocent perhaps, but altogether remote from the practice of government and of life; or have yet more fatally blaſted their uſefulneſs, by wickedly exciting and encouraging in them thoſe youthful appetites and propenſities which ſoon hurry the ſoul into habits of licentious pleaſure, in which all its powers of thought are quickly enervated and ſtifled; all its ſentiments of native generoſity are faſt perverted; and nought is left but a brutiſh ſtupidity, liable indeed to be ſometimes enlivened by the furies of caprice, cruelty, and licentious deſire. But, Crichton, Livingſton, and Queen Jane, approved themſelves upright guardians

Character of King James the Second.

* Eoſdem quos ſupra.

guardians and inſtructors of James's youth, by forming him to the actual buſineſs of government, by neither plunging him into vicious indulgence, nor turning him to idle and uſeleſs purſuits. His underſtanding ſeems to have been informed by Crichton, with nearly thoſe ſame principles and views of policy, which had guided the government of his father's reign; and which Crichton had partly learned from James the Firſt, and in part concerted with him. In policy, James, as far as can be judged from his conduct during the few years he ſurvived, after attaining the maturity of manhood,—appears to have been not at all unequal to his father. In ſcience, in learning, in thoſe elegant arts, which conferred ſo much grace and luſtre upon the character of James the Firſt; his ſon appears indeed to have been wholly unaccompliſhed. In generoſity of nature, James the Second excelled his father. The latter was not incapable of political cruelty. He could hide and cheriſh reſentment in his boſom,—then wreak and gratify it after it ſeemed to have been long extinguiſhed; and to enrich the Crown, he could graſp with ſomewhat of guilty avarice, at the poſſeſſions of his vaſſals. To all theſe vicious diſpoſitions, James the Second ſeems to have been altogether a ſtranger. The ſlaughter of Douglas was, moſt probably, an act of ſudden paſſion; and it may be certainly inferred from the whole tenor of James's previous

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previous and ſubſequent life, that in perpetrating this deed, and in the whole tranſactions by which the overthrow of the Houſe of Douglas was accompliſhed, he did great violence to the benignity and magnanimous generoſity of his nature. In taking part with the queen of Henry the Sixth, he joined both policy and generoſity. The Beauforts, the kindred of his mother, were of that party: It ſeemed to be the duty of one monarch to aſſiſt another againſt rebellious ſubjects. It was the part of a generous and gallant King to liſten to the ſupplication of a woman and a queen, and to eſpouſe her cauſe. Had James the Second ſurvived in the full vigour of his talents, to the ordinary term of human life, it is highly probable that he would have been diſtinguiſhed as one of the greateſt monarchs who have ever ſwayed a ſceptre. A fiery mark upon his cheek, procured to him the denomination of *James with the fiery face*. So univerſally was he eſteemed and beloved among his ſubjects, that they lamented his death, rather with the tender, heart-felt ſorrow of a family ſuddenly bereft of its father, than with the mourning more formal than ſincere, of ſubjects for the deceaſe of a King.

James left by his queen, Mary, three ſons, James, Alexander, and John; two daughers, Mary and Cecilia*.

Chap-

* Crawford's Hiſtory of the Stewarts, P. 39.

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Chapter III.

Reign of James the Third.

Roxburgh-Castle had not yet been taken and razed to the ground when, James, the eldeſt ſon of the deceaſed monarch, was, by the general conſent of the nobles and commons aſſembled at the ſiege, crowned King in his father's ſtead, at the contiguous abbey of Kelſo. From the demolition of that caſtle, while one part of the army conducted their young King homewards, to Edinburgh; another diviſion purſued their ſucceſs into Northumberland, took Werk-caſtle, and levelled it alſo to the ground. Before they could puſh their hoſtilities farther, ambaſſadors from the party of York, now victorious over that of Lancaſter, came to proffer peace upon conditions ſo advantageous; that the Scots were induced by the counſels of biſhop Kennedy, to agree to a truce with England for fifteen years; a truce that ſeemed no leſs deſirable to the Scots, whoſe King would not ſooner attain the period of full majority, than to the Engliſh, whoſe government was ſo diſtracted by the calamities of civil war*.

Accession of James the Third.

* Lindſay:—Leſly:—Buchanan:—Hollinſhed, &c.

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The firſt concern of the nation after the coronation of the young King, and the return of the barons from the expedition againſt the Engliſh, was, to regulate, by parliamentary authority, the adminiſtration of the government during their young ſovereign's minority; and to confide into fit hands, the tuition and education of the prince himſelf. Mary, his mother, when ſhe flew with ſuch eager activity to the camp, had been actuated not leſs by the deſire of ſecuring to herſelf, the regency of the kingdom, than by zeal to accompliſh her huſband's meaſures, and to avenge his death. A woman of her ſpirit and addreſs, could not fail to command the adherence of a party among the courtiers and other nobles. But, on the other hand, James Kennedy, and his uterine brother, George earl of Angus, who had been for ſeveral years, the moſt confidential counſellors of the late King, and whoſe rank and poſſeſſions gave them powerful influence among their fellow-ſubjects; were naturally led to make pretenſions to the adminiſtration during young James's minority, with which the regency of a woman of Margaret's active talents, could not be at all compatible. The queen-dowager would not eaſily forego the hopes ſhe had conceived, and the ambitious wiſhes which ſhe had avowed: her party hoping to govern in her name, if ſhe ſhould be appointed to the regency, ſtrenuouſly ſupported her cauſe, amid the deliberations of the

the parliament. Kennedy, Angus, and all their friends, earneſtly withſtood the propoſition. The two parties were ſo equally counterbalanced, that neither could prevail. At laſt the wiſdom, the virtue, of Kennedy, ſuggeſted and effected a compromiſe, by which the regency of the kingdom and the tuition of the young King, were withheld alike from the queen-dowager on the one hand, and from Kennedy and Angus on the other. To gratify both parties, William Graham and Robert Boyd, from among the friends of the queen, with John Kennedy of Caſſilis, and Robert earl of Orkney of the party of Angus and biſhop Kennedy, were nominated jointly to the adminiſtration of the government and the tuition of the King. To them were added the biſhops of Glaſgow and Dunkeld, to fill up the council. In the hands of the queen were left the tuition and education of all her younger children. The earl of Angus obtained the wardenſhip of the Engliſh marches. James Kennedy, although in no official ſituation near his young ſovereign, retained, in truth, under this arrangement, the principal authority of the government. The queen, unfortunately, thus diſappointed in the views of her ambition, fell away from that exalted propriety of conduct, which could alone become a lady of her high rank and talents, the widow of ſuch a prince as James the Second, the mother of an infant-family. Remembering the connubial endearments

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endearments of her wedded life; yet overlooking the young Scottish nobility, of whom the most gallant and handsome, would no doubt have been proud to become the husband of her widowhood; she dishonoured herself in the eyes of the whole nation, by an adulterous commerce with Adam Hepburn of Hailes, a man who was, before, the husband of another woman. Awakening quickly to a poignant sense of the disgrace she had incurred, and afflicted in heart by the stings at once of disappointed ambition, and of criminal love, she died in the year one thousand four hundred and sixty-three; and was buried in the Trinity-College at Edinburgh, which she had herself founded after her husband's death. Her death, while her children were still in infancy, would no doubt have been sincerely deplored, had she not outlived her modesty, and her good fame*.

Support granted to the king of England.

In the mean time the unfortunate Henry the Sixth of England, with his heroic Queen, Margaret, were again compelled to take refuge in Scotland. Their distresses and ejection out of their own kingdom, drove them to solicit the aid of the Scottish rulers, by the most humble supplications, and the most liberal offers of reward. Berwick was to be surrendered into the hands of the Scots: The young prince, the only son of Henry and Margaret was to be betrothed in marriage to the sister of

* Lindsay:—Buchanan:—Lesly, &c.

of James: To the earl of Angus, the warden of the marches, was to be granted, with ducal immunities and honours, an ample territory in the north of England. Berwick was ſurrendered: And Queen Margaret ſailed from Scotland to Flanders, to ſolicit additional aid, with which ſhe might from Scotland, make a new attempt to enter England, and recover the throne from which ſhe with her huſband, had been expelled. With difficulty, ſhe obtained from Lewis the Eleventh of France, who had now ſucceeded to his father, Charles the Seventh, a ſmall body of troops, which at firſt made ſome impreſſion in the north of England; burning ſeveral villages, and winning ſome caſtles. The Scots favoured their attempts; but, as it ſhould ſeem, did not yet openly take part in the hoſtilities which they committed,—in violation of the truce ſo lately concluded with the party of the houſe of York. Edward of York in the mean time came northward with a powerful force, to repulſe whatever invaſion might ſeem to threaten the ſecurity of his reign from this quarter. While Briſſac, the French captain, lay in the caſtle of Alnwick, with a part of his ſmall force; he was ſuddenly encompaſſed by the forces of Edward, ſo as to render his eſcape impoſſible; and it was equally impoſſible for him to reſiſt a ſiege. In theſe circumſtances, the only hopes of the Frenchmen and of the king in whoſe cauſe they here fought, depended upon the ſpeedy interpoſition

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position of the Scots. Angus, by permiſſion of the government, quickly aſſembling a force of ten thouſand men, all mounted on horſeback, and conducting a number of horſes ſufficient to bear away all the Frenchmen who were ſhut up in Alnwick-caſtle; marched in haſte to Alnwick; there drew his forces in battle-array over-againſt the Engliſh; and ſent a detachment with the horſes which had been for this purpoſe brought, to receive the French out by a poſtern-gate from the caſtle. The Engliſh in battle-array witneſſed this bold and provoking enterprize. But, becauſe the truce with Scotland had not yet been formally violated, and becauſe it was inconvenient for Edward to provoke its actual violation; the earl of Warwick their commander choſe rather to ſuffer Angus to carry the Frenchmen thus away uninjured,—than by actually attacking his army, to riſk perhaps a preſent defeat, and a long train of ſubſequent hoſtilities from the Scots, whoſe aid effectually granted, might yet give certain victory to Henry and Margaret. The Frenchmen were delivered out of danger by the generous intrepidity of their monarch's conſtant allies: But, this could do little to reſtore the fallen fortunes of the houſe of Lancaſter: Margaret and Henry ſaw their laſt hopes diſappointed: And the repreſentative of the houſe of York ſeemed to be now ſecurely eſtabliſhed upon the Engliſh throne. For the Scots, it was however

however no ſmall matter, to have, even in the preſent ſituation of their government, ſo far availed themſelves of the troubles of England, as to have extended their frontier to its ordinary, ancient limits. For their honour it was ſufficient to have received and entertained with generous hoſpitality, a King and Queen driven from ſovereignty into wretched exile*.

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Prevalence of the Boyds at court.

But, it was not poſſible that the adminiſtration made up of ſo many diſcordant parts, ſhould long continue to cohere and to act with unity of direction and effect. The Boyds ſoon became the favourites of the young King, whoſe puerile age was eaſily diſguſted by the auſterity of old men like the Kennedies, and by that rigorous diſcipline of education to which they earneſtly ſtrove to confine him. While the Kennedies intereſted themſelves ſolely to promote the welfare of the ſtate, and to inſtruct their young ſovereign in all thoſe arts and that knowledge which they themſelves eſteemed the moſt important; the Boyds, on the other hand endeavoured to recommend themſelves by thoſe compliances which were the beſt fitted to win the affections of a boy. The oppoſition of paſſions, intereſts, and political views roſe continually higher between the two parties. Feeling themſelves every day more ſecure in the favour of their royal pupil; and being in the vigour of their ſtrength and

* Hollinſhed:—Leſly:—Lindſay:—Buchanan.

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and mental faculties; the Boyds proceeded to treat the authority and admonitions of the Kennedies with insolent and slighting contempt. From contempt, their next step was, to an entire rejection of the Kennedies from the tuition of the King's person; a measure calculated to remove them, at the same time from all authority in the administration of the government. Alexander the brother of Robert Boyd, esteemed at that time the most accomplished knight in Scotland, had been added to the number of the preceptors of the young monarch; while Thomas and Robert Boyd, the two sons of Robert, were the favourite attendants and companions of James. From Linlithgow therefore, they led the King one day out to hunt, without previously asking the permission of Kennedy; and persuading James, that it was now time for him to emancipate himself from tuition; conducted him, who went not unwillingly, on the way towards Edinburgh. Kennedy warned of their departure, soon followed and overtook them. Seizing the King's horse by the bridle, he would have led him backwards to Linlithgow. But Alexander Boyd, instantly interposing, struck the old man with his bow; wounded him on the head; and threatened further violence, unless he would desist. At Edinburgh, the Boyds, in their Sovereign's name, immediately summoned a parliament. It was not numerously attended; for the party of the Kennedies

Kennedies, ſince they could not prevail, ſcorned to ſwell the triumph of their opponents; and others of the moſt conſiderable nobility, ſeem to have accounted it degradation, to obey the ſummons of men ſo mean as the Boyds. The Boyds however, to ſecure themſelves againſt future puniſhment, formally ſought and obtained forgiveneſs for any guilt which they might be ſuppoſed to have incurred by withdrawing James from the tuition of the Kennedies. James in parliament putting an end to the regency, formally aſſumed into his own hands the reins of government: but this aſſumption of the adminiſtrative power ſerved only to place it, for a time, abſolutely in the hands of the Boyds. Not content even with theſe advantages, the Boyds eagerly abuſed their power to their own private emolument. The regency and the tuition of the royal family were again conferred upon Robert Boyd alone: Other grants were beſtowed to gratify their friends and adherents: Thomas the eldeſt ſon of Robert, obtained in marriage, Mary, the eldeſt ſiſter of the young King, and with her, the earldom of Arran for her dowry. James Kennedy, amid theſe tranſactions, died at St Andrew's. His death was ſo much the more lamented, becauſe, after being ſo long the faithful counſellor of his ſovereigns, he died in diſgrace. The ſuddenly overgrown power of the Boyds became

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so much the more odious, because their illustrious rival was now no more*.

Disturbances in the Highlands.

In the mean time, the functions of the executive government were not every where duely respected throughout the kingdom. That licence to which the Scottish barons—especially of the north and west—had been so long accustomed, naturally broke out with new ferocity, during the weakness of a minority, and amid those divisions which distracted the regency. In the north-west districts, Alan of Lorne, seizing the person and inheritance of John his elder brother, confined him in a dungeon, until Colin Campbell, who now possessed the earldom of Argyle, going with an armed force against Alan, made him in turn prisoner, and restored John to the possession of the fieff of his family. Alan, while he was detained in confinement, in order to undergo capital punishment, laid violent hands upon his own life, and thus escaped the ignominy of death by the stroke of the executioner. A more formidable infraction of the public peace was about the same time made by Macdonald of the Isles, earl of Ross. His pretensions to the earldom of Ross had never been willingly allowed by the Scottish Kings James the First, and James the Second. It was rather by sufferance, because they could not easily dispossess him, than of their free good pleasure, that they had suffered him to retain the earldom of Ross,

* Lindsay :—Lesly :—Buchanan, &c.

Roſs, or even the principality of the Iſles, and had forgiven thoſe acts of rebellion which he had repeatedly committed. He, on his part, acknowledged and obeyed their authority, only out of fear, and with ſecret reſolutions, of ſeizing the firſt favourable opportunity for exalting himſelf into abſolute independence. That opportunity ſeemed to have now occurred. From the moment of the death of James the Second, Macdonald had no longer pretended to confine himſelf within the bounds of a ſubject's duty. By a ſtratagem he made himſelf maſter of the the royal caſtle of Inverneſs, aſſumed the denomination and honours of ſovereign of the Iſles; and haraſſed all the neighbouring barons who remained faithful in the duty to the Scottiſh King, with grievous hoſtilities. The earl of Athole was the King's uncle, and on this account ſo much the more obnoxious to the enmity of Macdonald. Deſcending, as far as Blair-Athole, with a powerful, although irregular army; the Hebudian chief took priſoners, the earl with his counteſs, Beatrix Douglas; ravaged all the circumjacent territory; and then with his ſpoils and captives, returned homeward to his inſular dominions; yet, loſt by ſhipwreck, almoſt all his ill-gotten booty, as he was paſſing over from the mainland to the iſland of Iſlay. The earl and counteſs of Athole were afterwards diſmiſſed in ſafety. But, Macdonald continued for ſome time longer to defy or elude the

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power

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power of his ſovereign; till, at laſt, in the year one thouſand four hundred and ſeventy-ſix, James the Third preparing a fleet, and raiſing a conſiderable land-army; ſo terrified the inſular chieftain by the fame of armaments deſtined to act againſt him; that he threw himſelf upon his ſovereign's mercy, and being deprived of the earldom of Roſs, and of his other poſſeſſions on the mainland,—was however permitted ſtill to retain the vaſſal-poſſeſſion of the principal Hebudian iſles. Theſe events were protracted through a conſiderable ſeries of years*.

Diſgrace of the Boyds.

The fortune of the Boyds which had been for ſome time rapidly riſing to the higheſt pitch of greatneſs, was ſoon to be overwhelmed in ruin and diſgrace. James had grown up to the age of puberty; and it was time that he ſhould be joined in wedlock with ſome princeſs worthy of his bed. Thomas Boyd, earl of Arran, and brother-in-law to his ſovereign, was, on this account, diſpatched with a train of illuſtrious companions and attendants, to negociate a marriage between James, and Margaret daughter to the King of Denmark; and if ſucceſsful, to conduct the lady home to her expecting huſband. He went, ſucceeded, and brought away the princeſs who was to adorn the Scottiſh throne. But, in the mean time, during Thomas's abſence, the enemies of his family abuſed their ſovereign's ear to its ruin. His father and uncle were ſummoned

* Leſly:—Lindſay:—Buchanan:—Statiſtical account of Campbelton.

moned to trial before an aſſembled parliament; and with Thomas—abſent on ſo honourable an embaſſy, were condemned to ſuffer the puniſhment due to treaſon and rebellion. The extravagant favour which they had enjoyed with the young ſovereign, was, by the artful repreſentations of their enemies, converted in James's breaſt, into implacable reſentment. Alexander Boyd was put to death for the treaſon imputed to him: Robert, eſcaping into England, died ſoon after, at Alnwick, of a broken heart: The enemies of Thomas lay in wait to ſeize and deſtroy him, aſſoon as he ſhould have landed from his Daniſh embaſſy. The ſeverity of the winter delayed the return of the fleet from Denmark, till ſpring had calmed the ſtorms of the German Ocean and the Baltic. In the ſiſter of James, too, Boyd had obtained a faithful and tenderly affectionate wife. No ſooner did the fleet caſt anchor in the road of Leith, than Mary, diſguiſing herſelf to elude the malicious vigilance of her huſband's enemies, went ſecretly on board his ſhip, to warn him of his danger, and to ſhare the miſery of his fortunes. Thomas, thus warned of the proſcription of his family, ventured not to come aſhore, but accompanied by his faithful wife, ſailed back to Denmark; from which, after various wanderings, he repaired at laſt to the court of Charles duke of Burgundy; and was there for a while honourably entertained; ſerving with great reputation

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reputation in the wars of that turbulent and ambitious prince. His virtuous wife there bore him two children; and ſtill remained faithful in her attachment to her huſband amid all his misfortunes. In vain did her brother, by many letters, ſtrive to detach her from him, and to allure her home to Scotland. At laſt, indeed, the hopes ſuggeſted to her, that ſhe by her preſence might yet appeaſe the anger of James, and procure the reverſal of the attainder of her huſband's family, led her to return. She was kindly received; but was ſoon, againſt her will, obliged to ſubmit to a ſentence of divorce, which annulled her marriage with Boyd; and was not long after given in marriage to Hamilton of Cadyow, the ſon of him whoſe ſeaſonable deſertion from the Douglaſſes had made them unable to keep up the army with which they had oppoſed James the Second. Boyd afterwards died in ſorrow on the Continent. His two children, by the ſiſter of James, lived not to enjoy any ſplendid fortune which might have ſeemed to repair their father's wrongs*.

Ceſſion of the Orkney iſles.

Margaret of Denmark, the young and beautiful bride of James the Third, brought, as her marriage-portion, the dereliction on the part of Denmark, of all its claims—to tribute from the Scottiſh Crown, on account of the Hebudian Iſles,—or

* Lindſay:—Leſly:—Buchanan, &c.

or to the feudal ſuperiority of the Iſles of Orkney and Shetland, the earldom of which had been, for ſome time, enjoyed by the Sinclairs, ſubjects to the Scottiſh Kings*. A. D. 1460-88.

Situation of James in reſpect to his brothers.

But, James's reign was not deſtined to be glorious or happy. There was in his character, a littleneſs of mind, a ſordidneſs of ſpirit, an abſence of that exalted magnanimity which ought ever to be combined with prudence in a great monarch. The Boyds, the Kennedies, and whoever elſe had, under them, the care of his education, had formed him to an attachment to ſome of the curious and elegant arts of peace, more fond and finical, than was conſiſtent with the due diſcharge of his duties as a ſovereign. Paſſionately fond of muſic, devoted to architecture, of an uſurer's avarice for the accumulation of money; he hence eſtranged himſelf from the generous exerciſes of war and arms, regarded with abhorrence the boiſterous and martial ſpirit of his barons, and conceived a mean jealouſy of thoſe who excelled in the gallant and popular arts which he did not himſelf cultivate. His brothers, Alexander and John, young men, more like in manners and in ſpirit, to their father, than to their elder brother, being the moſt naturally compared with him by the nation, to his diſadvantage; were the firſt to become the objects of this jealouſy, and its victims. They had already grown up to manhood.

* Eoſdem.

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manhood. Alexander the elder of the two, was now duke of Albany, and earl of March; John the younger, was earl of Marre. Alexander, as earl of March, was intruſted with almoſt all that authority on the borders, which the potent Houſes of Douglas and Dunbar had anciently poſſeſſed. The Humes and Hepburns who, before his appointment to theſe offices and honours, had derived extraordinary emoluments from the management of the crown-lands in thoſe parts; found their intereſts to be not a little thwarted, and their power reſtrained, by the activity with which the new earl exerciſed his authority, and the vigilance with which he exacted all the emoluments of his offices and eſtates. They had marked the temper of James; and they reſolved to abuſe its weakneſs, toward his brother's ruin. James was, by this time, ſurrounded with muſicians, artiſts, and men of learning, whoſe ſkill in the arts in which he delighted, recommended them to be the ordinary companions of his domeſtic life. Such were Schevez, Cochran, Rogers, and others. Cochran the architect was, about this period, the chief favourite; and to him they addreſſed themſelves. To Cochran, and to all the reſt of theſe men, the duke of Albany was not leſs odious than to the barons of the Merſe; for he ſcorned themſelves, and their arts by which they had won his brother's favour. No ſooner had the artifices of this cabal drawn James to view with

with jealouſy—the activity, the high ſpirits and the popular qualities of Albany, and even of Marre whom they beheld with like hatred, than the narrow-minded prince eagerly ruſhed into the ſnare which was laid for him, forgot the kind affections of fraternal love, and gave up his heart to the dark purpoſes of an Aſiatic deſpot. James's learning and taſte were not of a nature to preſerve him from the influence of ſuperſtition. The abſurdities of fancied ſorcery and of aſtrology had never, in any other age, a ſtronger hold on the minds of men, than in this. A witch was brought to foretell to James, that he was to be ſlain by his brothers. This pretended prophecy effectually impreſſed upon his mind the influence of all thoſe ſuggeſtions which had been preſented to him againſt his brothers, and confirmed him in thoſe dark and cruel purpoſes which had already begun vaguely to conceive. James ſent, with ſeeming kindneſs of purpoſe, to invite his brothers to viſit him at Edinburgh. Albany ſecretly warned of the miſchief that was intended againſt him, diſregarded the invitation, and inſtead of coming to Edinburgh, fortified himſelf in his own caſtle of Dunbar. Marre, unaware of the danger, haſtily obeyed his brother's ſummons; and ſoon after periſhed in the Canongate,—as thoſe who were willing to favour the King, pretended,—by his own frantic miſconduct under a fever,—but, as was with much more likelihood

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Death of the earl of Marre.

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lihood of truth alledged by others,—having his veins opened by the King's orders, and being thus left to bleed to death. From Dunbar, Albany ſoon after fled to Berwick, and thence into England. It is not impoſſible, but partly the popular manners, and in part the imprudent words of theſe young men, might have afforded to their brother ſome real ground for alarm againſt them. But, it was the feebleneſs, the caprice of his own character, alone, that could make them dangerous to his ſafety, or odious in his eyes*.

Eccleſiaſtical affairs.

Disturbances aroſe, too, in the conduct of the eccleſiaſtical affairs of the nation. To ſucceed James Kennedy in the biſhoprick of St Andrew's, Patrick Graham, his uterine brother, had been choſen by the aſſembled clergy of the dioceſe, but by the ſpiteful oppoſition of the Boyds, then at the height of their power, had been withheld from the poſſeſſion of the temporalities of the biſhoprick. Unable to prevail againſt his adverſaries at the Scottiſh court, Graham repaired to Rome, to ſolicit confirmation in the biſhoprick, from the ſupreme Pontiff. At Rome, he was graciouſly received; his deſires were granted; in favour of him, the ſee of St Andrew's was even erected into an archbiſhoprick, the metropolitan ſee of Scotland; and the Scottiſh church was, by the Pope's authority, declared to be for ever free from all

* Lindſay:—Leſly:—Buchanan, &c.

all claims of ſubjection to the church of England. Graham thus ſucceſsful at the Romiſh court, ſoon after prepared to return home. The Boyds had now fallen from their invidious greatneſs; and he flattered himſelf, that he ſhould now meet no oppoſition, when he went to take poſſeſſion of his archbiſhoprick. To honour him farther among his countrymen, he was inveſted by the Pope with the authority of papal legate.—But, other enemies had, in the mean time, ariſen, to exclude Graham from the benefit of the appointments and honours conferred upon him by the court of Rome. Schevez archdeacon of St Andrew's, and on account of his ſkill in aſtrology, a favourite with the King, oppoſed in the eccleſiaſtical aſſemblies, the new pretenſions of Graham. He was ſeconded by Lock the rector of the Univerſity. Graham was by the clergy degraded from his office, under a ſentence of excommunication. The civil authority of the monarch, then interpoſed, to ſupport the authority of the church, and caſt Graham into impriſonment. He never recovered his loſt honours. Great ſums of money were wrung from him, in order to gratify the King and his miniſters, and to be paid to the Romiſh court. When he had been reduced to extreme poverty, Schevez, his adverſary, was raiſed to the archbiſhoprick in his ſtead, and Graham was left to die in diſgrace and confinement. His impriſonment was, at firſt, for a while at Dunfermling.

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ling. He had been transferred, before his death, to the caſtle of Lochleven. This conduct of the King and his favourites in a matter of ſo much importance to the eccleſiaſtical affairs of the kingdom, tended greatly to increaſe the riſing odium againſt his character, and to render the better part of the eccleſiaſtics indifferent to his intereſts*.

James ſurrounded by mean favourites.

IN the mean time, James's perſonal manners and domeſtic habits continued to alienate him ſtill more and more from the active duties of royalty. Cochran his architect, Rogers the muſician, Preſton a gentleman who was content to aſſociate himſelf with them, Schevez the archbiſhop, and a few others, were the companions of his amuſements, and the confidential ſervants of his government. Rogers was raiſed to the honours of knighthood; Cochran, the prime favourite, obtained the earldom of Marre, which had been ſo lately poſſeſſed by the King's youngeſt brother. Theſe men, however, had not of themſelves any influence or authority in the kingdom, ſuch as might have enabled them to adminiſter the ſovereign authority with due vigour; the King himſelf, fitter for a monk or a merchant, was not a man who needed not able ſervants to aid his own authority and talents; the Crown was not armed with any ſuch force as might have ſupported his dignity in ſpite

* Lindſay:—Leſly.

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ſpite of the weakneſs of the ſovereign, and the worthleſsneſs of his ſervants. Thoſe barons of the ſouthern counties who had lately plotted the overthrow of the duke of Albany, no ſooner ſaw him driven into exile, than they began to ſtrengthen themſelves to new power upon the borders; and to contemn the minions, by whoſe agency they had ſupplanted him. The Humes and Hepburns; the earl of Angus; and a great many of thoſe barons whoſe deſcent and opulence gave them influence in the kingdom; although they might not openly proceed to refuſe obedience to the King's officers in the ordinary execution of the laws; yet earneſtly looked forward to ſome opportunity, when the King ſtanding in need of their aſſiſtance, might be compelled to ſubmit to their controul. Want of energy in the government ſerved, amid theſe things, to add continually new ſtrength to the diſcontented barons. They ſcorned thoſe arts which their ſovereign cultivated; the money which he avariciouſly ſtrove to accumulate, could not make him reſpectable in their eyes; his jealouſies and ſuſpicions had more of meanneſs of ſpirit, and of dark cruelty of intention ſuch as could not but alarm, than of able vigilance which might have ſerved to reſtrain and overawe them. He could not appear to be other than a contemptible monarch, who ſought his protection in the vain forebodings of aſtrology, not in the eſteem of his ſubjects, and in the

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the wise energy of his government. His favourites, too, elated by the unexpected rise of fortune to which his capricious kindness had exalted them, carried themselves with a degree of insolence which made their unmerited elevation doubly invidious. The exaction of money for ecclesiastical benefices; the rigour with which the dues of wardship and relief were levied upon the vassals of the Crown; the rapacity with which advantage was taken of those rights of purveyorship which the sovereign enjoyed for the support of his household; the avarice with which the customs due upon goods of merchandize, were exacted; that debasement of the coinage which was abused to defraud the subjects for the sake of their sovereign; all these were matters of grievance which no administration could, in this age, have long persuaded the Scots to bear with patience. When all was ready almost for insurrection, the truce with England was suddenly violated,—rather by the contrivance of the Scottish exiles, and by the restless turbulence of the borderers, both Scots and English, than by any inclination on the part of the two monarchs, to harass each other with mutual hostilities. A negotiation which had been opened with Edward the Fourth for the purpose of engaging his daughter Cecilia to be the future bride of the infant son of James, was forgotten. Albany who during his exile, had passed through England into France, now returned back into

Progress of James's character, and intrigues of his brother Alexander.

into England, and in concert with the exile, and forfeited earl of Douglas, made an unſucceſsful incurſion into Annandale. Douglas was made priſoner, never more to recover his liberty; but Albany made his eſcape. Hoſtilities being thus commenced; Edward was induced to come northward with a powerful army upon an invading expedition againſt the Scots. James now reluctantly ſummoned his angry barons to attend him in arms. While they ſlowly aſſembled, with intentions more unfriendly to their own ſovereign, than to the invaders; Glouceſter, brother to the Engliſh King, conducted by Albany, had advanced as far as Berwick; and leaving a part of his forces to puſh the ſiege of that town, which was held out againſt him by Hepburn, earl of Bothwell; was haſtening onwards with the reſt. James had, however, advanced as far as Lawder to meet and repulſe the invaſion, when his barons finding, that he himſelf with his minions, were now entirely within their power, determined—no longer to delay the vengeance which they were impatient to execute on thoſe who had perverted the monarch's mind from the ſentiments and duties of royalty. In a tumultuary aſſembly in the church of Lawder, they reſolved inſtantly to ſeize and put to death, Cochran with the other minions againſt whom they were enraged; and making themſelves maſters of their ſovereign's perſon, to compel him to alter and new-

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model

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Rebellious measures of the Scottish barons.

model his government at their pleasure. Perhaps they acted not without a correspondence with Albany: perhaps they adopted these measures in the hope of thus gratifying Albany's wishes, although not yet communicated to them, and of averting the evils of the invasion. Ere their deliberation was concluded, Cochran came from the King to interrupt it. He seemed to come as if it had been at their summons. Instantly they seized his person, stripped him of the splendid ornaments he wore, and hurrying him to the bridge of Lawder, hanged him without farther trial, as the meanest of traitors. The other mean favourites of James, who were hated by his old and honourable vassals, shared all the same fate. James himself was carried in confinement back to Edinburgh. Albany and his English conductors were permitted to follow without opposition. James was branded as unfaithful no less to engagements into which he had entered with the English King for the marriage of his son, than to his subjects in the discharge of the duties he owed them as their feudal sovereign. Berwick was again delivered up to the English. Every thing in Scotland was left at the pleasure of Albany, and the nobles who favouring him, had insulted and violated the person of his brother. Albany obtained the restoration of the fiefs which he had possessed before his exile, and was at the same time nominated to administer the government of the kingdom,

kingdom, as the King's lieutenant. The city of Edinburgh undertook to repay thoſe ſums of money which Edward had formerly paid to James in order to obtain his alliance, and in the name of a dowry given with his daughter to James's infant-ſon. The Engliſh then returned backward into their own country: and Albany with the nobles who, for his ſake, and to indulge their own haughty revenge, had deprived James of his favourite ſervants; remained maſters of the King, and of the government of Scotland*.

James was, during the latter part of theſe tranſactions, detained in pretendedly reſpectful, yet cloſe confinement in Edinburgh-caſtle. Douglas, once the formidable enemy of his father, was about the ſame time, in conſequence of his late capture in Annandale, a priſoner in the apartments of the ſame fortreſs. An interview was procured between the King and the forfeited earl: but the earl could not in his preſent condition ſerve the King; nor could the King, thus diveſted of the powers and honours of majeſty, reſtore the earl to his ancient poſſeſſions: and their interview had therefore no conſequences important or pleaſant to either the one or the other. But, by whatever means,—whether by any artifice on the part of the King who was not incapable of that ſhrewd and cunning policy by which narrow minds will ſometimes diſtinguiſh

* Lindſay:—Leſly:—Buchanan, &c.

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themſelves the moſt; by the more generous influence of ſolitary reflection upon his underſtanding and his feelings; by the prevalence of manly generoſity and true fraternal affection in Albany's mind; or by the intrigues of perſons who were intereſted to bring about a reconciliation between the two brothers, and to divide Albany from thoſe to whom he had at firſt attached himſelf;—a perfect reconciliation was ſoon after accompliſhed between the two brothers. Albany delivered James out of the hands of thoſe by whom he had been detained in confinement. A new arrangement of the parties was produced. James no longer miſtruſtful of his brother, or at leaſt ſeemingly no longer ſo, cordially embraced Albany as his deliverer and his beſt friend. Schevez, who had intrigued with all parties, became odious to all; and gladly made his peace by exchanging the archbiſhoprick of St Andrew's for the biſhoprick of Moray*.

The reconciliation of the two brothers, was alarming and dangerous to the enemies of both, to thoſe by whoſe intrigues Albany had been baniſhed, and to them who had afterwards combined againſt their ſovereign, and laid violent hands upon his perſon. With England there was now peace; nor did this amity with the Engliſh, occaſion any neceſſary violation of the ancient friendſhip between Scotland and France: for the Engliſh now buſied

* Lindſay:—Leſly:—Buchanan:—Crawford's hiſtory of the Stewarts:—Hume's hiſtory of the Douglaſſes.

Intrigues to ſet the brothers at variance.

buſied in the inteſtine contentions between the houſes of York and Lancaſter, had ceaſed, for a while from the proſecution of their ancient pretenſions as well againſt the French, as againſt the Scots. An embaſſy from France, ſent upon the occaſion of the death of Lewis the Eleventh, and the acceſſion of his ſon Charles the Eighth, was honourably received at the Scottiſh Court, and gratified by the ſolemn renewal of that alliance between the two nations which had been long deemed indiſpenſibly neceſſary to the ſupport of both againſt Engliſh ambition. Adminiſtered by Albany, the internal government of Scotland recovered all its due energy. James, content with that leiſure which allowed him to cultivate his favourite arts, and to enjoy thoſe amuſements in which he delighted; ſeemed now happier, than while the burthen of royalty had reſted wholly upon himſelf. The Scottiſh monarchy, the nation—appeared likely to riſe with great rapidity to a condition of more flouriſhing proſperity than they had ever before experienced. Yet, it was but too eaſy to revive in the boſom of James, thoſe jealouſies of his brother's popular talents, which had before driven Albany into exile, which had hurried young Marre prematurely to the tomb. To thoſe nobles who aſpired to riſe upon the ruins of the Houſe of Douglas, to that dangerous elevation from which they had ſeen it hurled,—Albany, a man of high abilities for government,

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ment, was neceſſarily more formidable than the weak and narrow-minded James; and they ſoon contrived therefore to make the King's jealouſies and fears, the inſtruments of theirs. A ſecond breach was effected between the two brothers. Albany, chiefly, as it ſhould ſeem, by the management of the Humes and Hepburns, whoſe wealth and greatneſs were ſtill reſtrained and impaired by his poſſeſſion of the wardenſhip of the marches; ſaw himſelf ſoon accuſed of having traitorouſly delivered up Berwick to the Engliſh; impriſoned in the caſtle of Edinburgh; and threatened with condemnation and public execution,—or rather perhaps with ſecret death by ſome ſuch dark arts of murther, as had been practiſed againſt his younger brother. The earl of Angus and thoſe other lords, out of whoſe hands, James had been lately delivered, now acquired the aſcendency in his counſels, and eagerly ſtrove to accompliſh Albany's deſtruction, that James's imbecility might be left once more at their mercy. In vain did the duke plead that he had delivered up Berwick in obedience to the King's command. James and his counſellors were not to be moved by this defence from purſuing to deſtruction, a hated, dreaded enemy. But, Albany was not abſolutely friendleſs. Notice was ſecretly conveyed to him, of all the danger threatened againſt his life by the dark machinations of his foes. A veſſel was ſecretly prepared in the Frith,

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Frith, to receive and conduct him to France, if he might by any means make his escape out of the castle. Thus warned, and having concerted all measures with his friends without, he, on a certain evening, invited the captain of the castle to supper; made him and the guard drunk with wine; then with the assistance only of his own servant, mastered and slew them; descended by means of ropes over the castle-walls; at Newhaven, went, with some friends who awaited his coming, on board the vessel which lay there to receive him; and thus escaped in safety into France. In France, he obtained in marriage the heiress of the dukedom of Bouloigne; lived for a while in high reputation, distinguished for his talents and martial gallantry; and perished at last in a tournament,—leaving by the duchess, a son who was afterwards for a time to administer the government of Scotland*.

Albany escapes from Edinburgh castle.

James, thus delivered, without a new crime, from the presence of his brother; and once more reconciled at lest seemingly, to those nobles who had checked his power, and confined his person; returned to the culture of those arts of peace in which he excelled. Stirling-castle becoming his favourite place of residence; he founded there a collegiate church under the denomination of his chapel-royal; endowed it richly; and appointed a numerous train of ecclesiastics, priests, and musicians

* Lesly:—Lindsay, &c. &c.

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Measures employed by James to confirm his authority.

cians who ſhould ſolemnize in it the ſervices of religion with the utmoſt magnificence and pomp. He built alſo within the walls of Stirling-caſtle, a noble hall for the reception of his aſſembled parliaments. As the revival of the arts, and the progreſs of commerce were now every where enhancing, in the eyes of the Scots, as of the other nations of Europe, the value of that new ſpecies of wealth which conſiſted in money, and in the productions of the arts; in contradiſtinction to lands and caſtles, the only ſort of wealth which Kings and nobles had anciently held in high eſtimation: James now renewed his cares for the accumulation of moneyed opulence, and enriched himſelf to a degree, that partly attracted the covetouſneſs, and partly excited the rage and contempt of his ſubjects. Aware of the advantage of poſſeſſing a navy for the protection of his coaſts againſt maritime invaſion, the King procured alſo two ſhips of conſiderable burthen, which he equipped for warfare, and put under the command of Sir Andrew Wood of Largo. And being in the ſame manner ſenſible, that the occaſional military ſervice of a turbulent and refractory feudal nobility, could not be confidently depended upon even for foreign war, but ſtill leſs for ordinary defence at home, and for the execution of his commands in exerciſing the ſupreme juriſdiction over his kingdom; he formed a ſmall troop of body-guards under the command of

of Sir John Ramſay of Balmain, whom his interceſſion had with difficulty ſaved from ſlaughter when his barons cut off the reſt of his favourites, at Lawder. With the Engliſh who were ſtill under the uſurped dominion of Richard the Third, diſpoſed to cultivate peace on the ſide of Scotland, James concluded a new treaty, the conditions of which were far from being diſadvantageous or diſhonourable to the Scots. It ſeemed, that James was gradually enlarging his mind, and invigorating his faculties, ſo as to become equal to the duties of royalty, while he with too minute a curioſity, ſtill cultivated ſome of the ornamental arts of peace. His character began to be more highly eſteemed among his ſubjects, than it had formerly been: And, could he have expelled from his boſom, thoſe jealouſies and reſentments which ſtill feſtered in his heart; and thoſe fears, excited by the predictions of wizards and aſtrologers, which ſtill clouded his imagination: Could the Humes and Hepburns with their aſſociates have forgotten how they had injured him, or ſuppoſed him capable of forgetting it: Could that faction which had riſen upon the fallen fortunes of the Houſe of Douglas, have been quietly extinguiſhed, without kindling up the flames of civil war:—James might yet perhaps have been happy; and might have filled the throne with honour, to a late old age*.

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But,

* Eoſdem quos ſupra.

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A new rebellion.

But, it could not be. No progreſs of time could extinguiſh the reſentments which mutually prevailed between him and the faction of the border-nobles. The more they ſaw him ſtrengthen himſelf in his authority; ſo much the more were they moved to beſtir themſelves anew, in order to ſubvert his power, and to anticipate the execution of any deſigns which he might have ſecretly formed againſt them. A ſubject of conteſt was ſoon found. James, in his earneſtneſs to enrich the royal chapel he had founded at Stirling, annexed to it the revenues of the ancient abbey of Coldingham. The Humes looking upon this abbey as pertaining in a particular manner, to them, would not willingly ſuffer the propoſed annexation to be carried into effect. James, however, procured it to be ſanctioned by an act of parliament. The Humes immediately began to concert a new conſpiracy againſt their ſovereign,—with the Hepburns,—with moſt of thoſe barons in the Weſt and the South, who had been anciently dependents on the Houſe of Douglas,—with Stewart of Avondale, and the earl of Angus who had been parties in what they did before at Lawder,—and with the heads of the two families of Gray and Drummond from among the northern barons. The conſpirators had ſoon concerted their meaſures, and made preparations to reſiſt their King's commands, and to make themſelves by force once more maſters of his perſon.

James

James informed of their preparations, ſummoned them by his heralds to lay down their arms, and preſent themſelves to the cognizance of his juſtice. But, his letters were ſcornfully torn in pieces; his heralds were maltreated; the rebellion was forthwith openly declared. They were advancing to beſiege him in his caſtle of Stirling, with a great force of their retainers and vaſſals; while James had not his faithful barons nigh, nor any ſuch force about his perſon, as might have been ſufficient to defend him againſt their traitorous purpoſes.

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Means adopted by James to defeat the rebellion.

Yet, ſurrounded with theſe difficulties, James acted with greater firmneſs, activity, and wiſdom, than was to be expected from a man of his character. He immediately ſtrengthened his garriſon of Stirling-caſtle, and added new ſtores to thoſe with which it was already provided; placed Shaw of Sauchie, a man in whom he had confidence, to command in it; and committed to his cuſtody, prince James, this King's eldeſt ſon, and now a youth in the fourteenth year of his age. From Stirling, James then repaired in haſte to the caſtle of Edinburgh; in it depoſited his treaſure; ſtrengthened it alſo with an additional garriſon and new ſtores; and confided the whole to the cuſtody of a man who enjoyed his favour. After taking theſe

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measures for preserving his son, his treasure, and his two principal castles from falling into the hands of the rebels; he went instantly on board a vessel which Sir Andrew Wood held at Leith, in readiness to receive him; and while they fancied him to have fled away perhaps to England or to Flanders,—crossed the bay to Fife; and proceeding northwards, called upon his barons, burgesses, and other vassals, to arm and protect their sovereign against rebellion. It was with difficulty he had escaped at Leith from the pursuit of the conspirators.

The barons of the North display their loyalty.

But, in Fife and all the northern counties, he found none but loyal subjects, ready to arm themselves at his command, and to expose their lives in defence of his life and authority. Lindsay earl of Crawford, won by the new honour of duke of Montrose, to exert himself with extraordinary zeal, in the cause of his King; with his kinsman, Lindsay of the Byres; soon joined James at Perth with a body of two thousand horsemen, and six thousand footmen: Ruthven sheriff of Strathern brought no fewer than five thousand: The earls of Huntley, Athole, and Argyle, descended at the head of the strength of the Highlands: The earl of Menteith, with Erskine and Graham came also with a considerable force from Stirlingshire and the districts contiguous. An army of more than thirty thousand men, was thus speedily mustered to oppose the

the rebellious borderers: And James ſoon marched in confidence at their head, back to Stirling*.

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Activity and intrigues of the rebels.

But, in the mean time, Hume, Hepburn, and Angus had exerted themſelves with the boldneſs and activity of men who had ſtaked their all on the event of rebellion, and had now advanced too far, to recede with ſafety. Although they had not been able to ſeize James's perſon, as he ſet ſail from Leith; yet they had intercepted part of the baggage and money which he wiſhed to carry with him. Whether of neceſſity, or in treacherous compliance, the captain of Edinburgh-caſtle had ſurrendered it with the King's treaſure in it depoſited, at their ſummons. Shaw, too the governor of Stirling-caſtle, being bribed with large ſums of money; put the prince into their hands, and agreed to hold for them that caſtle which had been committed to him by his King. Even the young prince, perſuaded by their fair ſpeeches, that in his father's hands, his life could no longer be ſafe; made himſelf not very unwillingly the tool and the nominal leader of their rebellion; and lent the ſanction of his name to all thoſe calumnies by which they ſtrove to alienate from the King, the affections of all his ſubjects. With a force of about eighteen thouſand men aſſembled out of Eaſt Lothian, Teviotdale, Annandale, and Galloway; all the ancient domains

* Lindſay:—Leſly:—Buchanan, &c.

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mains of the Houſe of Douglas;—the boldeſt and beſt-diſciplined ſoldiers of Scotland; they came onward to meet the King's hoſt, where it was expected to deſcend by the way of Stirling, upon the counties on the ſouthern ſide of the Forth*.

When James with his army, had reached Stirling; he himſelf not yet aware of the treaſon, proceeded to the gates of the caſtle, commanded them to be opened, and requeſted, that his ſon ſhould be brought into his preſence. To his aſtoniſhment, Shaw both refuſed to admit him within the caſtle, and informed him, that his ſon was in the rebel camp. James heard the news—with a trouble of ſoul which diſconcerted all that aſſumed firmneſs and vigour, which he had hitherto ſo remarkably exerciſed in his ſcheme of oppoſition;—and with a burſting indignation which he could expreſs only by menaces of future vengeance againſt the treacherous Shaw. For that night he remained with his army at the town; keeping ſtrict watch againſt any ſurpriſe from the garriſon in the caſtle,—or from the rebel hoſt without, which had now approached nearly to the farther bank of the river Carron. Early on the morrow, James proceeded with his army to Torwood, to meet and encounter his foes in battle. At Torwood, the royal army halted, to await the coming of new forces which haſtened to join them. Some propoſals of reconciliation

Battle at Torwood, and death of King James.

* Eoſdem.

ciliation were here mutually made between the King and the rebel barons; but on the part of the barons there were no conceſſions propoſed, ſuch as James, while ſupported by ſo great a majority of his faithful ſubjects, could be perſuaded to accept. On the third day, therefore, after James's arrival at Stirling, the two armies prepared for battle. In the van of the royal army advanced the earls of Athole and Huntley at the head of the northern clans: In the rear were poſted the men of Stirlingſhire and Lennox, under the command of the earl of Menteith and other nobles: James himſelf with his burgeſſes and yeomanry occupied the centre: On the right wing, was the earl of Crawford with the troops of Fife and Angus: On the left, Sir Alexander Ruthven with the military force of Stormont and Strathern. The rebel army came on in three columns: The Humes and Hepburns, with their followers from the eaſtern borders, commanding in the van; the men of the weſtern borders compoſing the central diviſion; and Angus with other lords conducting the prince in the rear. But James, unaccuſtomed to deeds of war, oppreſſed with conſciouſneſs of guilt and folly, and ſtruck with horror at ſeeing his own ſon armed againſt his life; became ſtill more timid, irreſolute, and deſpondent, the nearer the critical hour of engagement approached. The forebodings of that ſorcery to which he had formerly ſought, aroſe upon his mind;

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mind; and all courage died away within him. While he continued thus irreſolute, the enemy came on; the two vanguards encountered each other; the battle was furiouſly joined. The rebels from the borders, excelling in archery, in conſequence of their continual warfare with the Engliſh,—ſoon diſordered the cavalry in the King's vanguard. The men of Annandale coming inſtantly up, impetuouſly aſſailed that diviſion at the head of which James himſelf had taken his ſtation. At ſight of the fury with which they came on, at the noiſe of thoſe ſhouts which they raiſed to appall their foes; James ſuddenly turned his horſe's head, ſet the example of flight to his army, and gallopped away in fearful and almoſt unconſcious haſte, from the field of battle. Already unmanned and diſunited by the puſillanimity which James had ſhewn before the fight; already broken, in part, and diſordered by the impreſſion of the bowmen of the rebel army: James's forces made ſcarcely any farther reſiſtance, after they had ſeen the King himſelf take to flight. They fled by Torwood and Bannockburn towards Stirling: And the prince's army, content with thus diſcomfiting their opponents, made no earneſt purſuit; but after reſting for that night on the field of battle, retreated, on the next morning, towards Linlithgow*.

It

* Lindſay:—Leſly, &c.

It was the rumour of the King's death propagated through both hoſts, almoſt immediately after his flight from the field, that thus eaſily ſtayed the carnage. James borne upon a horſe which he could not guide, nor reſtrain, fled onward to the ſtream of Bannockburn. His horſe there ſcared by ſome trivial object of alarm, ſuddenly leaped over the ſtream with ſuch a ſhock to the unſteady and affrighted rider; that James fell from his back, more dead than alive, and was ſoon after recogniſed and ſlain by ſome of the rebel hoſt who purſued him. He was ſlain at the mill of Bannockburn: His body was afterwards buried at the abbey of Cambuſkenneth. This battle was fought; and James was ſlain on the eleventh day of June, in the year one thouſand four hundred and eighty-eight; the twenty-ninth year of his reign; the thirty-ſixth of his age*. A. D. 1460-88.

His character.

Such was the unfortunate end of a monarch who, if we ſhould contemplate only one ſide of his character, would ſeem to have deſerved a much more illuſtrious and happy fate. In fondneſs for the elegant arts, and in proficiency in the actual practice of them, he was, perhaps, even ſuperior to his grandfather James the Firſt. It was ſkill in theſe arts, not any unworthy qualities, by which his hated favourites were firſt recommended to his regard.

* Leſly:—Lindſay, &c.

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gard. The arts he cultivated, such as music and architecture, were not mean and frivolous, but of confessed dignity and importance even among the barbarians of that age. His passion for the accumulation of money, was perhaps rather a natural result of the increasing influence of this representative of value, upon the transactions and the enjoyments of social life,—than a sordid avarice inconsistent with true wisdom or dignity of sentiment. His formation of something like a naval force, shewed a mind not inattentive to the true interests of his kingdom, and in its ideas of wise policy, outstripping the common march of the age and the country in which he lived. The shrewd policy and the activity with which he took his first measures for the suppression of that rebellion by which he was cut off; discovered a mind not meanly qualified either for conducting the affairs of a peaceful government, or for concerting the enterprizes of war. Even his belief in the predictions of astrology, may find its excuse in the imperfection of the physical science of that age; and his respect for the pretences of sorcery, in its universal superstition.—But, we must likewise view his character on the darker and weaker side. Here we shall probably be forced to allow, that all his weakness, his errours, his misfortunes, had their origin in that education, too recluse, and too much turned upon virtuoso-pursuits, to befit a monarch,—which

was

was unwiſely or wickedly given him by the Kennedies and Boyds, the tutors and companions of his early youth. Attached to theſe purſuits, he was removed from that uſeful experience which he might have otherwiſe acquired in the common practice of life, in the military arts, and in the buſineſs of government; while his tutors and favourites not only then reigned for him, but pleaſed themſelves with the hope of prolonging their power throughout his life, and keeping him in reſpect to the government of his kingdom, always a child. Hence aroſe the two grand defects in James's character, *unſkilfulneſs in the arts of war*, and *a want of common ſenſe* in regard to the buſineſs of government and the ordinary affairs. Theſe quickly made him contemptible, in compariſon with his brothers, in the eyes of all the Scottiſh nobility. Senſe of that contempt, operating upon a mind as yet tremblingly alive to the ſenſations of ſhame; and being aſſiſted by the ſuggeſtions of wicked and intereſted perſons about him; ſoon poiſoned his mind with thoſe jealouſies and thoſe dark ſuſpicions which were the ſources of all his crimes. Sorcery and aſtrology completed the miſchief. One crime, and one folly ſtill led to another. After the murther of his brother, James's fate was fixed. Conſcious guilt never afterwards ceaſed to torment his heart; vain terrours ſtill afflicted him; any new experience he acquired, became in his mind mere-

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ly mean and narrow cunning; could never become generous, manly wiſdom. His weakneſs of mind expoſed him to be ſeduced continually into wickedneſs; and every ſucceſſive wicked act of which he became guilty, ſtill enfeebled his mind ſo much the more. Lindſay of Pitſcottie has deſcribed his character with extraordinary power of painting, and force of expreſſion: "He was one that loved ſolitarineſs "and deſert, and never to hear of wars, nor the "fame thereof; but delighted more in muſic and "policies of bigging, than he did in the govern-"ance of his realm: He was alſo wonderous co-"vetous in conqueſſing of money rather than the "hearts of his barons; and he delighted more in "ſinging and playing upon inſtruments, than he "did in the defence of the bordours*."

* Lindſay, p. 115.—3d Edit.

END OF VOLUME THIRD.

MVSEVM BRITAN NICVM